TABLE OF CONTENTS

FO 2447642



13 - Witness [redacted] - Homicide

14 - Witness [redacted] – Homicide

15 - Witness [redacted] – Homicide

EXHIBITS

A **One (1) CD containing a scanned copy of the Homicide Case Book, URN# 018-02285-1197-058, involving Suspect Jeremy Spencer**

B **Memorandum from the Los Angeles County District Attorney's Office Justice System Integrity Division to Captain Joe Mendoza, dated February 24, 2022.**

C **Email from Detective Daniel Gore #[redacted] including California Driver's License Photo of Jeremy Don Spencer**

D **One (1) CD containing eleven (11) audio files of radio traffic and (11) PDF files with audio file details**

E **One (1) CD containing LASD Crime Lab Pictures and Sketch, 343 pictures and one (1) PDF document of sketch**

MISCELLANEOUS DOCUMENTS

Lancaster Sheriff's Station PM shift In-Service, dated February 3, 2018

(5) Deputy Daily Work Sheet's (DDWS) from February 3, 2018

Taser Download from Deputy Robert Garay's taser

Mailing Receipt of letter sent to Deputy Steven Ament Jr.'s residence

(6) Administrative Rights (Sworn & Non-Sworn) Forms

POST training records of involved employees Deputies Robert Garay, Steven Ament Jr., Paul Mendez and Felipe Alejandre

Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 018 - 02285 - 1197 - 058	Date: 02/03/18	Time: 1645hrs	
Location: [redacted] 176th Street East	City or Station: Lake Los Angeles		
Bureau/Station/Facility: North Patrol Division / Lancaster Station	Admin. Investigation: ○ YES ● NO		
Type of Force: Personal Weapons,Taser,Impact Weapons,Control Holds,Resisted Handcuffing,Hobble,TARP			
Incident Category: ○ 1 ○ 2 ● 3	Deputy Injury: ● YES ○ NO	Suspect Injury ● YES ○ NO	
☐ Call	☒ Observation	☐ Detail	☐ Foot Pursuit ☐ Vehicle Pursuit
IAB Notified: ● YES ○ NO	Person Notified: Lt. Roberta Granek	Emp: [redacted]	IAB Roll Out ● YES ○ NO

Involved Employee

E 1

Employee #: [redacted]	Last Name: Garay	First Name: Robert	Middle I.: A.	Rank: DSG	
Sex: ● M ○ F	Race: W	Height: 510	Weight: 170	Age: [redacted]	Shift: ○ EM ○ Day ● PM; ● Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Lancaster Station	Work Assignment (Unit #, Module, etc.): 114				
Individual Force Used: Taser,Personal Weapons,Impact Weapons,CT, RH	○ Directed ○ Rescue ○ Medical Assist	Individual Category ○ 1 ● 2 ○ 3			
☒ Injured ☒ Treated ☐ Admitted	Facility: Antelope Valley Hospital	Coroner Case #:			

E 2

Employee #: [redacted]	Last Name: Ament Jr.	First Name: Steven	Middle I.: J.	Rank: DSG	
Sex: ● M ○ F	Race: W	Height: 507	Weight: 166	Age: [redacted]	Shift: ○ EM ○ Day ● PM; ● Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Lancaster Station	Work Assignment (Unit #, Module, etc.): 114				
Individual Force Used: Personal Weapons,Taser, CT, RH, Hobble, Tarp	○ Directed ○ Rescue ○ Medical Assist	Individual Category ○ 1 ● 2 ○ 3			
☒ Injured ☒ Treated ☐ Admitted	Facility: Antelope Valley Hospital	Coroner Case #:			

E 3

Employee #: [redacted]	Last Name: Mendez	First Name: Paul	Middle I.: G.	Rank: DSG	
Sex: ● M ○ F	Race: H	Height: 511	Weight: 206	Age: [redacted]	Shift: ○ EM ○ Day ● PM; ● Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Lancaster Station	Work Assignment (Unit #, Module, etc.): 114A				
Individual Force Used: Control Holds	○ Directed ○ Rescue ○ Medical Assist	Individual Category ● 1 ○ 2 ○ 3			
☐ Injured ☐ Treated ☐ Admitted	Facility:	Coroner Case #:			

On Duty Supervisor

☒ Additional Involved Employees

Emp #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Goedecke	Jason	M.	SGT	○ YES ● NO	○ YES ● NO

Supervisor Completing Investigation

Emp #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Munoz	Gustavo	R.	SGT	○ YES ● NO	○ YES ● NO

Watch Commander / Supervising Lieutenant

Emp #	Last Name	First Name	Middle I.	Rank
[redacted]	Devane	Ann	T.	LT

ANN T. DEVANE [signature] — Watch Commander / Supervising Lieutenant's **Signature:**

09/29/22 — Date

Copy Provided to Employee by: ____ Emp #: ____

Unit Commander **(Print Name)** ____ Unit Commander's **Signature**: ____ Emp #: ____ Date ____

DISCOVERY Use Only

FO#

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 01/13)

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE - Continuation

0 1 8 - 0 2 2 8 5 - 1 1 9 7 - 0 5 8

Involved Employee

E 4

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Alejandre Jr.	Felipe		DSG

Sex:	Race:	Height:	Weight:	Age:	Shift:	
(●) M ( ) F	H	507	160	[redacted]	( ) EM ( ) Day (●) PM	(●) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
Lancaster Station	114A

Individual Force Used:		Individual Category
Control Holds	( ) Directed ( ) Rescue ( ) Medical Assist	(●) 1 ( ) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ____________ Coroner Case #

E_

Employee #	Last Name	First Name	Middle I.	Rank

Sex:	Race:	Height:	Weight:	Age:	Shift:	
( ) M ( ) F					( ) EM ( ) Day ( ) PM	( ) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):

Individual Force Used:		Individual Category
	( ) Directed ( ) Rescue ( ) Medical Assist	( ) 1 ( ) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ____________ Coroner Case #

E_

Employee #	Last Name	First Name	Middle I.	Rank

Sex:	Race:	Height:	Weight:	Age:	Shift:	
( ) M ( ) F					( ) EM ( ) Day ( ) PM	( ) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):

Individual Force Used:		Individual Category
	( ) Directed ( ) Rescue ( ) Medical Assist	( ) 1 ( ) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ____________ Coroner Case #

E_

Employee #	Last Name	First Name	Middle I.	Rank

Sex:	Race:	Height:	Weight:	Age:	Shift:	
( ) M ( ) F					( ) EM ( ) Day ( ) PM	( ) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):

Individual Force Used:		Individual Category
	( ) Directed ( ) Rescue ( ) Medical Assist	( ) 1 ( ) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ____________ Coroner Case #

E_

Employee #	Last Name	First Name	Middle I.	Rank

Sex:	Race:	Height:	Weight:	Age:	Shift:	
( ) M ( ) F					( ) EM ( ) Day ( ) PM	( ) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):

Individual Force Used:		Individual Category
	( ) Directed ( ) Rescue ( ) Medical Assist	( ) 1 ( ) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ____________ Coroner Case #

Supervisor's Report on Use of Force
SUSPECT INFORMATION

018 - 02285 - 1197 - 058

Suspect Information

S 1

Last Name: Spencer | First Name: Jeremy | Middle Name: Don | Armed? Select: Not Armed

AKA Last Name: | First Name: | Middle Name:

Sex:	Race:	Age:	Height:	Weight	D.O.B:	Phone #1: ○ H ○ W ○ C	Phone #2: ○ H ○ W ○ C
(●) Male ○ Female	W	48	600	225	02/03/70	[redacted]	[redacted]

Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Booking #: N/A | Primary Charge Code: | Secondary Charge Code: | [redacted] Criminal History

Treated on Scene? (●) YES ○ NO | Name: L.A. County Fire Dept. | Unit: Eng 114 | Phone #: (661) 264-4583

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: 18-01088 | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: (●) YES ○ NO | Substance: Marijuana | 5150 a factor in force? ○ YES (●) NO User's guide provides direction on this entry

Date: N/A | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex:	Race:	Age:	Height:	D.O.B.	Weight:	Phone #1: ○ H ○ W ○ C	Phone #2: ○ H ○ W ○ C
○ Male ○ Female							

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ○ YES ○ NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ○ YES ○ NO | Substance: | 5150 a factor in force? ○ YES ○ NO User's guide provides direction on this entry

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex:	Race:	Age:	Height:	D.O.B.	Weight:	Phone #1: ○ H ○ W ○ C	Phone #2: ○ H ○ W ○ C
○ Male ○ Female							

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ○ YES ○ NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ○ YES ○ NO | Substance: | 5150 a factor in force? ○ YES ○ NO User's guide provides direction on this entry

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

018 - 02285 - 1197 - 058

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Lane	Leo	J.

Unit of Assignment	Work Assignment (Unit #, Module, etc.)	Shift	Status
Palmdale Station	265	( ) EM ( ) Day (•) PM	(•) Regular ( ) OT ( ) Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Pierson	Michael	G.

Unit of Assignment	Work Assignment (Unit #, Module, etc.)	Shift	Status
Palmdale Station	265	( ) EM ( ) Day (•) PM	(•) Regular ( ) OT ( ) Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Arnone	Edward	J.

Unit of Assignment	Work Assignment (Unit #, Module, etc.)	Shift	Status
Lancaster Station	261R	( ) EM ( ) Day PM	(•) Regular ( ) OT ( ) Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	48	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]		14	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	67	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]		9	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]		11	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]		38	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]		39	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

☐ **Additional Witness**

Supervisor's Report on Use of Force

018 - 02285 - 1197 - 058

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Spencer	S1	Garay	E1	HR	NN	
Spencer	S1	Ament Jr.	E2	HR	NN	
Spencer	S1	Mendez.	E3	HR	NN	
Spencer	S1	Alejandre	E4	HR	NN	
Spencer	S1	Garay	E1	UC	NN	
Spencer	S1	Ament Jr.	E2	UC	NN	
Spencer	S1	Mendez	E3	UC	NN	
Spencer	S1	Alejandre	E4	UC	NN	
Spencer	S1	Garay	E1	RS	NN	
Spencer	S1	Ament Jr.	E2	RS	NN	
Spencer	S1	Mendez	E3	RS	NN	
Spencer	S1	Alejandre	E4	RS	NN	
Spencer	S1	Garay	E1	PH	AB	FA
Spencer	S1	Ament Jr.	E2	PH	AB	FA
Spencer	S1	Garay	E1	PP	AB	FA
Spencer	S1	Ament	E2	PP	AB	FA
Spencer	S1	Garay	E1	PK	AB	FA
Spencer	S1	Ament	E2	PK	AB	FA
Garay	E1	Spencer	S1	TR	DH	
Garay	E1	Spencer	S1	PH	DH	
Garay	E1	Spencer	S1	FL	DH	
Garay	E1	Spencer	S1	CT	DH	
Garay	E1	Spencer	S1	RH	DH	

Supervisor's Report on Use of Force

9 2 2 - 0 3 6 7 4 - 1 1 3 4 - 6 0 7

Method

(AW) Arwen
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(OV) Other Weapon: Vehicle
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Type of Injury

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(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
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(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Ament Jr.	E2	Spencer	S1	PH	DH	
Ament Jr.	E2	Spencer	S1	TR	DH	
Ament Jr.	E2	Spencer	S1	CT	DH	
Ament Jr.	E2	Spencer	S1	RH	DH	
Ament Jr.	E2	Spencer	S1	HB	DH	
Ament Jr.	E2	Spencer	S1	TP	DH	
Mendez	E3	Spencer	S1	CT	DH	
Alejandre	E4	Spencer	S1	CT	DH	

INTERNAL AFFAIRS BUREAU

INVESTIGATIVE SUMMARY

INCIDENT:	**Category 3 Use of Force / In-Custody Death**
IAB FILE NUMBER:	**FO 2447642**
URN#:	**018-02285-1197-058**
DATE / TIME:	**February 3, 2018 / 1645 Hours**
LOCATION:	[redacted] **176th Street East, Lake Los Angeles Ca 93591**

SYNOPSIS:

On February 3, 2018, Internal Affairs Bureau (IAB) Lieutenant Roberta Granek #[redacted], Sergeant Bryan Smith #[redacted] and Sergeant Michael Maxwell #[redacted] responded to [redacted] 176th Street East in Lake Los Angeles regarding a Category 3 use of force/in-custody death. IAB investigators learned Lancaster Deputies Robert Garay, Steven Ament Jr., Paul Mendez, and Felipe Alejandre used force and arrested Suspect Jeremy Spencer at his residence, as he was a named suspect in a criminal threats report from two days prior. The criminal threats report was documented under Lancaster Station URN# 918-02139-1197-339 **[EXHIBIT A, Homicide Case Book, Pages 532-540]**. During the struggle, Suspect Spencer became unresponsive and stopped breathing. Lifesaving efforts by deputies and Los Angeles County Fire personnel were unsuccessful, Suspect Spencer was pronounced deceased at the scene.

Detectives Gina Eguia #[redacted] and Robert Martindale #[redacted] from the Los Angeles County Sheriff's Department Homicide Bureau responded and assumed control of the criminal investigation. For further information refer to the Homicide Case Book, under URN #018-02285-1197-058 **[EXHIBIT A, Homicide Case Book]**.

On June 2, 2022, this case was reassigned to IAB Sergeant Gustavo Munoz.

SUMMARY:

On February 3, 2018, Deputies Garay and Ament Jr. were assigned to work uniformed patrol together as Lancaster Unit 114, on PM shift, from [redacted] hours. They were both assigned to the unincorporated area of Lake Los Angeles.

Deputies Garay and Ament Jr. attended several briefings where they received information regarding ongoing issues with Suspect Spencer's threatening and violent behavior. Suspect Spencer had been involved in multiple assault with a deadly weapon calls for service, where Suspect Spencer approached neighbors with an axe and responding deputies with a pitchfork. Suspect Spencer's neighbors were living in fear.

The day prior, on February 2, 2018, Lancaster Station Detective Daniel Gore #[redacted], sent an email **[EXHIBIT C, Email from Detective Daniel Gore #[redacted]** to patrol deputies advising Suspect Spencer was a named suspect in a criminal threats report, documented under Lancaster Sheriff's Station URN 918-02139-1197-339. Suspect Spencer was also a named suspect in a threatening phone calls report documented under Lancaster Sheriff's Station URN 918-01831-1197-217 **[EXHIBIT A, Homicide Case Book, Pages 541-545]**. The email advised Suspect Spencer had two guns registered to him, and he was arrestable behind the criminal threats report if located.

On February 3, 2018, Detective Gore came to briefing at the beginning of shift and advised deputies in briefing, which included Deputy Garay and Ament Jr., that Suspect Spencer was a named suspect in a criminal threats report and in a threatening phone calls report. Detective Gore discussed the details of the incident and briefed about what had transpired with the suspect the day prior. Detective Gore told deputies that there was no warrant for the suspect at that time, but if the suspect was seen outside of his residence, that he was arrestable for the offenses.

Sergeant Goedecke had a conversation with Deputies Garay and Ament Jr., either during or after briefing, and instructed them to conduct patrol checks of Suspect Spencer's neighborhood to put the neighbors at ease because they feared Suspect Spencer. Sergeant Goedecke discussed with Deputies Garay and Ament Jr. that if Suspect Spencer was seen outside, to arrest him. Sergeant Goedecke also advised Deputies Garay and Ament Jr. to notify him when they saw the suspect so he could start responding. Sergeant Goedecke instructed Deputies Garay and Ament Jr. that if the suspect retreated into his home, to treat the incident as a barricaded suspect, contain the home, and get additional personnel there to make announcements.

During their shift, Deputies Garay and Ament Jr. responded to the area of [redacted] 176th Street East to conduct follow-up with Suspect Spencer's neighbors and to obtain information regarding Suspect Spencer's habits and general times he would be outside his residence. Deputies Garay and Ament Jr. discussed amongst each other that if they encountered Suspect Spencer, they would affect the arrest while he was outside, to prevent Suspect Spencer from going into his residence where he could retrieve a potential weapon.

When Deputies Garay and Ament Jr. arrived at the location, they backed their vehicle into the [redacted] driveway at [redacted]. The [redacted] opened the fence in the driveway and Deputies Garay and Ament Jr. walked into the [redacted] backyard and conversed about Suspect Spencer. While in the [redacted] backyard,

Deputies Garay and Ament Jr. saw Suspect Spencer through the chain-link fence, in his own backyard, feeding his chickens. Deputy Garay immediately recognized Suspect Spencer from the photo used during the station briefings and email from Detective Gore. Deputy Garay notified Sergeant Jason Goedecke on the L-TAC radio frequency, that Suspect Spencer was outside his residence, but had gone back into his home. Sergeant Goedecke informed Deputy Garay he would respond to their location.

Suspect Spencer exited the residence, walked up to the fence, and engaged in conversation with the [redacted], [redacted] (Witness [redacted]). Suspect Spencer did not see the deputies in the backyard. Suspect Spencer was a "fairly good distance" away from the back door of his residence, and Deputy Garay felt it would be the safest time to contact Suspect Spencer.

Deputies Garay and Ament Jr. quickly discussed a tactical plan to enter Suspect Spencer's backyard and to place him under arrest. They discussed one of them would climb over the south fence in front of the property and approach Suspect Spencer from the south, and the other one would climb over the north fence to approach from the north. Deputies Garay and Ament Jr. felt contacting Suspect Spencer while he was in the backyard away from his residence was the safest way to prevent him from arming himself or escaping. The plan was Deputy Ament Jr. would physically detain and handcuff Suspect Spencer, while Deputy Garay would deploy the Taser, and to use if Suspect Spence became assaultive.

Deputy Garay maintained a visual on Suspect Spencer, as Deputy Ament Jr. walked around the front of the residence to the south side. Deputies Garay and Ament Jr. maintained radio communication via the Dispatch 15 radio frequency via direct mode. Deputy Ament Jr. climbed the fence on the south side of the residence, into Suspect Spencer's backyard. When Deputy Ament was in the backyard, he advised Deputy Garay. Deputy Garay climbed over the fence on the north side and entered the backyard of Suspect Spencer's residence. Deputy Garay deployed his X-26 Taser. Suspect Spencer faced away from Deputies Garay and Ament Jr. and had not noticed them in the backyard.

IAB Note: "Direct mode" is a function on the Los Angeles County Sheriff's Department radio that allows users to transmit radio traffic directly from one radio to other radios. "Direct mode" transmission is not received or recorded by the Sheriff's Communication Center (SCC).

Deputies Garay and Ament Jr. approached Suspect Spencer from behind. Deputy Ament Jr. grabbed Suspect Spencer's arms from behind and told him to put his hands behind his back. Suspect Spencer immediately became uncooperative, started to yell and broke free from Deputy Ament's grasp. Suspect Spencer turned around counterclockwise and punched Deputy Ament Jr. in the face with a closed fist.

Suspect Spencer grabbed Deputy Ament Jr.'s near his chest area, and pushed Deputy Ament Jr backward, which caused him to stumble four to five feet backward. Deputy Garay employed the Taser on Suspect Spencer to stop him his assault. The Taser darts struck Suspect Spencer on the lower abdomen but appeared to have no effect. Deputy Ament Jr. fell backward to the ground, and Suspect Spencer fell forward landing chest to chest. Suspect Spencer punched Deputy Ament Jr. on his rib area multiple times and pushed down on Deputy Ament Jr.'s face. Deputy Garay cycled the Taser a second time, which still had no effect on Suspect Spencer.

Simultaneously Deputy Garay broadcasted emergency traffic via his handheld radio, advising they were involved in a fight and requested units to respond to [redacted] 176th Street East in Lake Los Angeles **[EXHIBIT D, Audio File 4]**.

Deputy Garay approached Suspect Spencer and punched him an unknown number of times on the right side of his face and the back of his head, to prevent Suspect Spencer from further assaulting Deputy Ament Jr. As Deputy Garay punched the suspect, he re-accessed and saw the punches had no effect on Suspect Spencer. Suspect Spencer then turned toward Deputy Garay and pushed him. Deputy Garay lost his balance and fell to the ground. Suspect Spencer straddled Deputy Garay's legs, which prevented him from being able to stand up. Deputy Garay grabbed Suspect Spencer's arms to prevent himself from being hit.

Deputy Ament Jr. grabbed Deputy Garay's Taser that was on the ground and utilized the drive stun mode on the middle of Suspect Spencer's back. The Taser again had no effect on Suspect Spencer. Deputy Ament Jr. placed the Taser back down on the ground and attempted to strike Suspect Spencer with his fists. Suspect Spencer turned his attention back toward Deputy Ament Jr. Deputy Garay was still unable to stand up because Suspect Spencer's body weight was on top of his legs. Deputy Garay saw the Taser on the ground, grabbed it and utilized the drive stun mode on Suspect Spencer's lower back/buttocks area which did not affect Suspect Spencer.

IAB Note: **"Drive Stun" mode is the process of using the EMD (Electro Muscular Disruption) weapon as a pain compliance technique. This is done by activating the TASER [device] and placing it against an individual's body. This can be done without an air cartridge in place or after an air cartridge has been deployed (Wikipedia).**

Suspect Spencer grabbed and pulled Deputy Ament Jr.'s firearm. Suspect Spencer was unable to pull the firearm out of the holster. Deputy Ament Jr. yelled that Suspect Spencer grabbed his gun. Deputy Ament Jr. held onto his firearm to keep it in the holster, to prevent Suspect Spencer from arming himself. Deputy Garay saw Deputy Ament Jr.'s hard plastic flashlight on the ground, retrieved it, and struck Suspect Spencer on his lower back five to eight times. The strikes had no effect on Suspect Spencer.

The [redacted] Witness [redacted], who was [redacted] observing the fight, climbed over [redacted] fence into Suspect Spencer 's backyard. Witness [redacted] grabbed Suspect Spencer and pulled him off Deputies Garay and Ament Jr. Witness [redacted] grabbed Suspect Spencer's left hand and pulled it behind his back. Deputy Garay was able to get off the ground and handcuffed Suspect Spencer's left wrist as Deputy Ament Jr. handcuffed Suspect Spencer's right wrist. Suspect Spencer attempted to pull his arms away to prevent from being handcuffed. Witness [redacted] along with Deputies Garay and Ament Jr. pulled Suspect Spencer's arms behind his back and connected the loose ends of both sets of handcuffs. Once Suspect Spencer was handcuffed, Witness [redacted] let go of Suspect Spencer and stepped away.

While Suspect Spencer was on the ground, he kicked his legs around and attempted to stand up. Deputy Ament Jr. placed the Ripp Hobble restraint device around Suspect Spencer's ankles and held onto his legs. Deputy Garay kneeled and placed his knee across Suspect Spencer's lower back to prevent him from getting up. Suspect Spencer thrashed his body back and forth, kicked his legs around and continuously tried to get up. Deputy Garay advised over the radio that Suspect Spencer had been "hobbled" and requested paramedics to respond for Suspect Spencer and to stage near the location **[EXHIBIT D, Audio File 4].**

IAB Note: A "Ripp Hobble" or more commonly referred to as a "hobble," is a restraint device, which is made of one-inch-wide polypropylene webbed belting, with a one-inch wide steel, alligator-jawed, friction-locking clip, and steel-snap swivel. Used to hold a person's ankles together.

[redacted] (Witness [redacted], whose [redacted] (Witness [redacted] was a [redacted] of Suspect Spencer, walked over to Suspect Spencer's backyard and unlocked the south side gate to allow responding deputies to get into the backyard. Witness [redacted] had a spare key to Suspect Spencer's property which was used in the past to feed the dogs when Suspect Spencer was not home.

Deputies Mendez and Alejandre were the first unit to arrive on scene. Deputy Mendez accidentally ran into the back yard of [redacted] because a child waived him down and observed the patrol vehicle was parked in front. Simultaneously, Deputy Alejandre saw a male in front of Suspect Spencer's home, and pointed toward Suspect Spencer's backyard, so he entered the correct yard. Deputy Mendez noticed Deputies Garay and Ament Jr. held Suspect Spencer down on the ground in the backyard south of him. Deputy Mendez contemplated jumping over the fence; however, the fence appeared "flimsy," and he was worried the fence would not hold his weight. Deputy Mendez ran back out to the front and entered Suspect Spencer's backyard through the opened south side gate.

Deputy Alejandre kneeled and placed both of his hands on Suspect Spencer's upper back. Deputy Mendez approached, placed his left knee on Suspect Spencer's right arm and his right knee on Suspect Spencer's mid-back as he attempted to lift his body.

Deputy Mendez told Deputy Alejandre to go move the patrol vehicle to the front of Suspect Spencer's residence so they could secure him in the backseat. Deputy Alejandre ran to the front and moved their patrol vehicle to the front of Suspect Spencer's residence.

When Deputy Alejandre returned, Deputy Mendez discussed a plan to pick up Suspect Spencer and move him to the front yard, where he could be secured, and where he could receive medical treatment. Deputy Garay advised over the radio that Suspect Spencer was handcuffed on the ground but was still fighting. Deputy Garay requested paramedics to stage out in front of Suspect Spencer's home **[EXHIBIT D, Audio File 5]**.

As the deputies released their hold on Suspect Spencer, Suspect Spencer got a "second burst of energy" and began thrashing his body and kicked Deputy Ament Jr. in the face. Due to Suspect Spencer's assaultive behavior, Deputy Mendez told Deputy Ament Jr. to apply the Total Appendage Restraint Procedure (TARP) on Suspect Spencer, and he secured the clip-end of the Ripp Hobble restraint device to the chain of the handcuffs. Once the TARP was applied, Suspect Spencer was rolled onto his left side in a recovery position.

Suspect Spencer continued to thrash his body from side to side and kicked his legs and attempted to get up, which caused him to roll back onto his stomach. Deputies attempted to place Suspect Spencer on his side approximately three times; however, Suspect Spencer continued to thrash his body and rolled back on to his stomach. Within several minutes of Suspect Spencer being tarped, he stopped fighting and it appeared as if he had tired. Deputy Mendez noticed Suspect Spencer was still breathing at that time.

IAB Note: Total Appendage Restraint Procedure (TARP) consist of simultaneously securing all of a person's limbs (arms and legs). The individual's wrists are immobilized with handcuffs, and their legs are immobilized with the Ripp Hobble restraint device. The clip end of the Ripp Hobble restraint device is then connected to the chain of the handcuffs.

Deputies Michael Pierson, Leo Lane, and Reserve Deputy Edward Arnone arrived on scene and entered Suspect Spencer's backyard. Deputies Pierson, Lane and Reserve Deputy Arnone saw Suspect Spencer being held down on the ground and was not fighting at that time. Deputy Lane walked back to the front of Suspect Spencer's residence to direct the sergeant and medical personnel into the location. Deputy Pierson and Reserve Deputy Arnone remained in the backyard. Deputy Pierson maintained a visual on Suspect Spencer and noticed he was still breathing.

After a minute, Deputy Mendez realized Suspect Spencer did not appear to be breathing. Deputies turned Suspect Spencer on his side, Deputy Garay checked his pulse which was weak and faint. A deputy advised over the radio Suspect Spencer was

not breathing, and Deputy Garay advised he began Cardiopulmonary Resuscitation (CPR) **[EXHIBIT D, Audio File 8]**.

Deputy Ament removed the TARP and the Ripp Hobble restraint device from Suspect Spencer, and they rolled him on his back. Suspect Spencer remained handcuffed. Deputy Alejandre went to the patrol vehicle and retrieved a bag valve mask (AMBU bag). Deputy Alejandre returned and provided Deputy Mendez the AMBU bag. Deputy Garay administered chest compressions as Deputy Mendez administered beaths to Suspect Spencer through the AMBU bag. After three to four rounds of 30 compressions Deputy Pierson took over chest compressions. Realizing Suspect Spencer was still handcuffed, they rolled Suspect Spencer over on his side to remove the handcuffs. Suspect Spencer was placed on his back and Deputy Pierson continued chest compressions for approximately 3 to 4 minutes, until the paramedics arrived.

Medical personnel from American Medical Response (AMR) and the Los Angeles County Fire Department Engine 114, under Captain Parson, arrived on scene and took over CPR and medical treatment on Suspect Spencer. Lifesaving efforts were unsuccessful and Suspect Spencer was pronounced deceased at the scene at 1726 hours, by Doctor Hsieh from the Antelope Valley Hospital.

Sergeant Goedecke arrived on scene shortly thereafter and arranged for the involved deputies to be transported to the station. Sergeant Goedecke also made sure the scene was secured and a command post was established. Potential witnesses were identified, and Sergeant Goedecke made sure they remained at the scene to speak with responding Homicide Bureau detectives.

Lancaster Station deputies were not assigned body-worn cameras (BWC) at the time of this incident.

DISTRICT ATTORNEY'S LETTER OF OPINION:

The Justice System Integrity Division of the Los Angeles County District Attorney's Office reviewed the in-custody death of Suspect Spencer and the force used by Deputies Garay, Ament Jr., Mendez, and Alejandre. In the Letter of Opinion **[EXHIBIT B, Memorandum from the Los Angeles County District Attorney's Office Justice System Integrity Division]**, dated February 24, 2022, it was concluded Deputies Garay, Ament Jr., Mendez and Alejandre used reasonable force under the circumstances and were not criminally responsible for Suspect Spencer's death.

INVOLVED EMPLOYEES AND WORK HISTORY:

Robert Garay, Deputy Sheriff, #[redacted]
North Patrol Division
Lancaster Sheriff's Station

Date of Employment: July 25, 2012

Date Assigned to LAN:	May 1, 2016
Date Completed Patrol Training:	[redacted]
Prior Shooting incident(s):	[redacted]
Prior Category 3 Force Incidents:	[redacted]

Equipment Worn on Person:

OC Spray
Keys
Smith and Wesson M&P 9mm semi-automatic firearm
Two pairs of handcuffs
Radio
Taser
Tourniquet
Two Smith and Wesson M&P 9mm magazines in holster

Steven Ament Jr., Deputy Sheriff, #[redacted]
North Patrol Division
Lancaster Sheriff's Station

Date of Employment:	October 14, 2014
Date Assigned to LAN:	September 17, 2017
Date Completed Patrol Training:	[redacted]
Prior Shooting incident(s):	[redacted]
Prior Category 3 Force Incidents:	[redacted]
Resignation Date:	***March 2, 2022***

Equipment Worn on Person:

OC Spray
Smith and Wesson M&P 9mm semi-automatic firearm
Keys
Two Pairs of handcuffs
Radio
Collapsible baton
Tourniquet
Two Smith and Wesson M&P 9mm magazines in holster

Paul Mendez, Deputy Sheriff, #[redacted]
North Patrol Division
Lancaster Sheriff's Station

Date of Employment:	July 31, 2007
Date Assigned to LAN:	December 16, 2011
Date Completed Patrol Training:	[redacted]
Prior Shooting incident(s):	[redacted]

Prior Category 3 Force Incidents: [redacted]

Equipment Worn on Person:

OC Spray
Keys
Beretta 92F 9mm semi-automatic firearm
Taser
Knife
Three Beretta 92F 9mm magazines in holster
Two pairs of handcuffs
Knife
First Aid kit

Felipe Alejandre, Deputy Sheriff, #[redacted]
North Patrol Division
Lancaster Sheriff's Station

Date of Employment: July 21, 2016
Date Assigned to LAN: November 5, 2017
Date Completed Patrol Training: [redacted]
Prior Shooting incident(s): [redacted]
Prior Category 3 Force Incidents: [redacted]

Equipment Worn on Person:

OC Spray
Keys
Smith and Wesson M&P 9mm semi-automatic firearm
Radio
Collapsible baton
Tourniquet
Knife
Two Smith and Wesson M&P 9mm magazines in holster
Two pairs of handcuffs
Hobble Restraint Device

SUSPECT INFORMATION:

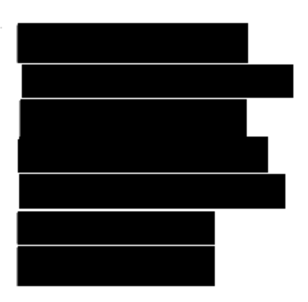
Jeremy Don Spencer
[redacted]
Male, White, Date of Birth of February 3, 1970, Black Hair, Blue Eyes, 6'00", 225 lbs
CDL#[redacted]

A check of the Consolidated Criminal History Reporting System/Criminal Information Index (CCHRS/CII) revealed Suspect Spencer had [redacted].

EMPLOYEE WITNESSES:

Palmdale Station Deputy Leo Lane
Palmdale Station Deputy Michael Pierson
Palmdale Station Reserve Deputy Edward Arnone
Lancaster Sergeant Jason Goedecke

NON-EMPLOYEE WITNESSES:


[redacted]

SUSPECT INJURIES:

The Los Angeles County Department of Medical Examiner-Coroner Doctor Martina Kennedy opined Suspect Spencer's cause of death was cardiopulmonary arrest during law enforcement restraint. Doctor Kennedy opinioned the manner of death was undetermined and may be multifactorial.

Doctor Kennedy stated there is a temporal relationship between cardiopulmonary arrest and being prone during physical restraint. However, the relationship is due to asphyxia causing the cardiopulmonary arrest, and there were no findings from the autopsy that established asphyxia. The autopsy also revealed no fatal blunt force traumatic injuries **[EXHIBIT A, Homicide Case Book, Pages 485-526]**.

A toxicology test of Suspect Spencer revealed the presence of marijuana **[EXHIBIT A, Homicide Case Book, Pages 519-520]**.

DEPUTY PERSONNEL INJURIES:

Deputy Garay sustained a sprain/swollen right hand **[EXHIBIT E, LASD Crime Lab Pictures and Sketch, Picture Files 4p7a6548pic01 to 4p7a6567pic01]**. Deputy Garay was transported to the Antelope Valley Hospital for treatment and released the same day.

Deputy Ament Jr. sustained abrasions to the left side of his chin and face, an abrasion on his knuckles on his right hand, abrasions on his right and left knees, and an abrasion on his right ring finger **[EXHIBIT E, LASD Crime Lab Pictures and Sketch, Picture Files 4p7a6521pic01 to 4p7a6547pic01]**. Deputy Ament Jr. was transported to the Antelope Valley Hospital for treatment and released the same day.

PHYSICAL EVIDENCE:

All physical evidence located at the scene was identified and collected by Forensic Identification Specialists Danielle Tiesma #[redacted], Mira Amin #[redacted] and Terri Beatty #[redacted], assigned to Scientific Services Bureau under the direction of the Homicide Investigators **[EXHIBIT A, Homicide Case Book, Pages 527-531].**

INVESTIGATOR'S OBSERVATIONS:

The crime scene was described in detail by Homicide Investigators **[EXHIBIT A, Homicide Case Book, Pages 20-23]** and documented by LASD Crime Lab Personnel **[EXHIBIT A, Homicide Case Book, Pages 527-531]**. The crime scene was photographed, and a sketch was made **[EXHIBIT E, LASD Crime Lab Pictures and Sketch]** by LASD Scientific Services Bureau Personnel.

WEAPONS USED BY INVOLVED PERSONNEL:

Deputy Garay employed a Department-issued X-26 Taser.

Deputy Ament Jr. employed a Department-issued X-26 Taser.

Refer to Taser activation report **[Miscellaneous Documents]**.

WEAPONS USED BY SUSPECT SPENCER:

None.

PROPERTY DAMAGE:

None.

LIGHTING AND WEATHER CONDITIONS:

The incident occurred outdoors during afternoon hours. The scene was illuminated by natural sunlight.

RADIO TRAFFIC:

IAB investigators reviewed 11 audio files containing radio traffic from the incident, including Lancaster Station designated frequencies Dispatch 15, L-Tac 11, and the Lancaster Station Cold line. The following are summarized excerpts from the compiled radio traffic **[EXHIBIT D].**

> **IAB Note: The time stamp at the beginning of each audio file is eight hours behind the actual time.**

Approx. Time:	Audio File No.	Brief Description (Not verbatim, refer to radio traffic for further)
L-Tac 11 Traffic:		
16hr 28min 14sec	1	Deputy Garay transmitted they were watching the suspect from [redacted] down and had lost sight of him.
16hr 28min 35sec	2	Deputy Garay asked the how many units were in Lake Los Angeles. The dispatcher advised one unit and 114A was enroute. Deputy Garay informed Sergeant Goedecke they lost sight of the suspect but were watching the location if he appeared again. Sergeant Goedecke told Deputy Garay to keep him posted, he was heading there. Unit 112 told Deputy Garay to let him know if they needed additional units.
16hr 30min 00sec	3	Deputy Mendez advised he had just begun the shift and asked what was going on. Deputy Garay said he was going to call Mendez on his cellphone. The dispatcher then asked if they were dealing with a "Mr. Stevens." Deputy Garay said it was "Jeremy Spencer."
Dispatch 15 Traffic:		
16hr 45min 42sec	4	Deputy Garay broadcasted emergency traffic they were involved in a fight. Several units, including the field supervisor advised they were responding. Unit 110S was 12-13 minutes away.
16hr 47min 55sec		Deputy Garay said the suspect was handcuffed and hobbled but was still uncooperative. He requested "902R" (Rescue Responding) for the suspect and to have fire stage.
16hr 49min 19sec		Unit 114A were "going 97" (Arrived on Scene). Deputy Garay said the [redacted] unlocked the gate on the south side of the residence to get into the backyard.
16hr 52min 22sec	5	Deputy Garay said the suspect was uncooperative, and handcuffed. Unit 114A was on scene and

		requested the Fire Department to stage out on 176th Street East by the radio cars, but still not clear for them to enter.
16hr 53min 32sec		Unit 265 advised he and Unit 261R were "Code 6" (Out for Investigation).
16hr 54min 49sec	6	Deputy Garay requested Unit 110S who said he was at 110th Street East and Avenue P. Deputy Garay said they placed the TARP on the suspect and that did not want to move the suspect until Unit 110S arrived.
16hr 57min 36sec	7	A deputy advised the suspect was still uncooperative and they were waiting for the sergeant.
16hr 58min 26sec	8	A deputy advised "Leo" (Deputy Lane) the suspect was not breathing have AMR roll in. Dispatch acknowledged the fire department was cleared to roll in. Deputy Garay advised they were beginning CPR.
17hr 00min 06sec	9	Deputies requested paramedics to the scene again. A deputy was sending a unit down the street to get paramedics.
17hr 04min 12sec	10	Unit 114A advised paramedics were on scene and taking over treatment of the suspect. Units requested a tactical channel, and the dispatcher released the frequency.
LAN Cold Line:		
16hr 45min 58sec	11	Sgt. Lane Arnold #[redacted] was on the line with the SCC supervisor, monitoring the emergency traffic.

STATEMENTS:

The following narratives are intended as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews and verbatim transcriptions.

INVOLVED EMPLOYEE INTERVIEWS:

Deputy Robert Garay

On February 4, 2018, Deputy Robert Garay was interviewed by Homicide Investigators Gina Eguia and Robert Martindale. During the interview, Deputy Garay was represented by Attorney Maureen Okwuosa. On August 16, 2022, IAB Sergeants Gustavo Munoz and Angel Fisher interviewed Deputy Garay at the Internal Affairs Bureau office. During the interview, Deputy Garay was represented by Attorney Amy Johnson.

On February 3, 2018, Deputy Garay was assigned as Unit 114, during PM shift and Deputy Steven Ament Jr. was his partner.

Deputy Garay was briefed multiple times about Suspect Spencer and the issues he caused in his neighborhood. Deputy Garay was told Suspect Spencer had threatened his neighbors on multiple occasion and numerous assaults with deadly weapon calls had been received. Deputy Garay recalled being told of an incident where Suspect Spencer threatened a neighbor with an axe and another incident where he approached responding deputies with a pitchfork. Deputy Garay recalled Detective Gore attended a briefing the day of the incident, where he briefed deputies during the shift about Suspect Spencer. Detective Gore discussed the details of the criminal threats report and the threatening phone calls report where Suspect Spencer was a named suspect. Detective Gore advised he had not obtained a warrant for the suspect yet, however, if the suspect was seen in public, that he was arrestable for both offenses.

After briefing, Deputy Garay planned to go contact Suspect Spencer's neighbors to gather information about the suspect as far as what times Suspect Spencer was outside of his home because Deputy Garay wanted to know what the best times would be to arrest Suspect Spencer outside. After briefing, Deputy Garay told Sergeant Jason Goedecke he was going to respond to Suspect Spencer's neighborhood to gather more information about the suspect and if Suspect Spencer was seen outside while they were there, they were going to arrest him. Sergeant Goedecke told Deputy Garay to let him know if he was needed.

Deputy Garay did not check Suspect Spencer's criminal history, nor did he surveil the residence prior to responding there. Deputy Garay did not recall if he inquired if Suspect Spencer had any firearm's registered to him and was not aware of Suspect Spencer having any mental health issues.

Deputies Garay and Ament Jr. responded to Suspect Spencer's neighborhood to gather information about the suspect only, but also discussed that they would arrest the suspect if they encountered the suspect while they were there. As Deputies Garay and Ament Jr. spoke to the neighbors [redacted] of Suspect Spencer's residence, Suspect Spencer walked into his backyard to feed his chickens. Deputy Garay recognized Suspect Spencer from pictures shown during station briefings.

IAB investigators reviewed the L-TAC frequency radio traffic **[EXHIBIT D, Audio Files No. 1-3]** of the incident with Deputy Garay. Deputy Garay recalled notifying Sergeant Goedecke on the radio stating the Suspect Spencer was outside. Deputy Garay also recalled he spoke to Deputy Mendez on the radio, but he did not remember whether he called Deputy Mendez on his phone. Sergeant Goedecke and Deputy Mendez advised Deputy Garay they would respond to the location.

While additional deputy personnel headed to his location, Deputies Garay and Ament Jr. formulated a plan to arrest Suspect Spencer while he was in the backyard. Deputy Garay believed arresting Suspect Spencer in the backyard would prevent Suspect Spencer the opportunity to retreat into his residence and possibly arm himself with a weapon.

Deputy Ament Jr. would detain and handcuff Suspect Spencer, while Deputy Garay would deploy the Taser to utilize if necessary. Deputies Garay and Ament Jr. decided to approach Suspect Spencer from different sides of the residence to prevent Suspect Spencer from being able to escape. Deputy Ament Jr. climbed over the fence on the south side of Suspect Spencer's residence and kept in communication with Deputy Garay on the radio via "direct mode." Once Deputy Ament Jr. was in the backyard, Deputy Garay climbed over the north side fence and entered the backyard.

Deputies Garay and Ament Jr. approached Suspect Spencer from behind undetected as Suspect Spencer talked to the neighbor at the fence line. Deputy Ament Jr. grabbed Suspect Spencer who immediately tensed up, turned to his left and punched Deputy Ament Jr. in the face. Suspect Spencer immediately grabbed onto the front of Deputy Ament Jr.'s uniform shirt and they both physically struggled. Deputy Garay fired the Taser and struck Suspect Spencer on his lower abdomen area, which had no effect.

Suspect Spencer forced Deputy Ament Jr. backward onto the ground on his back, as Suspect Spencer fell on top of Deputy Ament chest to chest. Deputy Garay cycled the Taser again, but it still did not affect Suspect Spencer. Suspect Spencer was on top of Deputy Ament Jr. as he punched him. Deputy Garay dropped the Taser and punched Suspect Spencer several times on the right side of his face and the back of the head. The strikes did not phase Suspect Spencer, but he turned toward Deputy Garay and pushed him, which caused Deputy Garay to lose his balance and fell to the ground.

Suspect Spencer straddled Deputy Garay's legs, which prevented Deputy Garay from getting up. Deputy Garay grabbed Suspect Spencer's hands to prevent from being hit. Deputy Garay saw Deputy Ament Jr. use the Taser on Suspect Spencer, which did not affect him. Suspect Spencer turned his attention back toward Deputy Ament Jr. as he continued to straddle Deputy Garay's legs.

Deputy Garay grabbed the Taser again and utilized the drive-stun mode on Suspect Spencer's lower back, buttocks area, but Suspect Spencer was not phased. Deputy Garay heard Deputy Ament Jr. say, "He's got his hand on my gun." Deputy Garay thought of using deadly force but feared he would injure Deputy Ament Jr. who laid

directly under Suspect Spencer at the time. Deputy Garay saw Deputy Ament Jr.'s hard plastic flashlight on the ground, so Deputy Garay picked it up and struck Suspect Spencer on his back five to eight times.

The [redacted] Witness [redacted], who was in the backyard [redacted] of Suspect Spencer's house, climbed over the fence and grabbed Suspect Spencer off the deputies and pulled him back. The assistance allowed Deputy Garay to get off the ground. With the assistance of Witness [redacted] Deputy Garay was able to handcuff Suspect Spencer's left wrist and Deputy Ament Jr. was able to handcuff Suspect Spencer's right wrist. All three were able to put Suspect Spencer's arms behind his back and connected both pairs of handcuffs together. Suspect Spencer continued to thrash his body from side to side and kicked his legs while he was handcuffed. Deputy Garay placed his knee across Suspect Spencer's back while Deputy Ament Jr. placed the Ripp Hobble restraint device around the suspect's ankles.

While on the ground, Deputies Garay and Ament Jr. told Suspect Spencer to calm down. Suspect Spencer yelled inconsistent statements and questioned them why they were there, and to get off him. Suspect Spencer continued to kick his legs and tried to get up. Deputies Mendez and Alejandre arrived on scene. Due to Suspect Spencer's assaultive behavior, Deputy Ament Jr. applied the TARP. Suspect Spencer continued to thrash his body from side to side and kicked his legs and tried to get up. Deputies attempted to place Suspect Spencer on his side in a recovery position approximately two to three times, but Suspect Spencer thrashed his body, and he continued to roll back onto his stomach. Deputy Garay did not recall how long Suspect Spencer was secured in the TARP but estimated only a few minutes. Suspect Spencer stopped fighting and did not appear to be breathing. Deputy Garay checked Suspect Spencer's pulse and saw it was faint. The TARP and the handcuffs were removed, and Deputy Garay began chest compressions as Deputy Mendez administered breaths. Deputy Garay administered approximately three sets of 30 compressions each, when he was relieved by Deputy Pierson who had arrived on scene. Deputy Pierson continued chest compressions on Suspect Spencer. Deputy Garay walked out to the front of the residence to compose himself. Shortly after, paramedics arrived at the location and took over lifesaving measures on Suspect Spencer. Suspect Spencer was declared deceased and left at the scene.

Sergeant Goedecke arrived on scene after paramedics, and Deputy Garay reported his force to Sergeant Goedecke.

During the IAB interview, the investigator asked Deputy Garay why he did not contain the location and wait for backup or a supervisor to arrive prior to approaching the suspect. Deputy Garay explained that he knew deputies had an extended response time and he made the decision to approach and arrest Suspect Spencer to prevent Suspect Spencer from going back into his home. Deputy Garay did not want Suspect Spencer to go back inside his residence where he would be able to arm himself with a weapon. Deputy Garay also felt arresting Suspect Spencer as soon as possible due to his ongoing dangerous behavior with his neighbors outweighed waiting for the handling

detective to obtain an arrest warrant or a search warrant to prevent the situation from escalating **[Deputy Robert Garay IAB Interview Transcript, Pages 32-33].**

Deputy Steven Ament Jr.

Homicide Interview

On February 4, 2018, Deputy Steven Ament Jr. was interviewed by Homicide Investigators Gina Eguia and Robert Martindale. During the interview, Deputy Ament Jr. was represented by Attorney Maureen Okwuosa. The interview is summarized in the Homicide Case Book **[EXHIBIT A, Homicide Case Book, Pages 33-36].**

On February 3, 2018, Deputy Ament Jr. was assigned as Unit 114, on PM shift, and Deputy Robert Garay was his partner.

Deputy Ament Jr. had attended station briefings for several days where he learned of Suspect Spencer caused constant problems as he threatened his neighbors on numerous occasions. Deputy Ament heard Suspect Spencer also approached deputy personnel with a pitchfork and assaulted a neighbor with an axe. Deputy Ament received an email to inform deputy personnel to be on the lookout for Suspect Spencer as he was listed as a named suspect in criminal threats report.

Deputies Ament Jr. and Garay responded to Suspect Spencer's neighborhood to see what times Suspect Spencer would be outside of his residence. While the spoke to the neighbors, they saw Suspect Spencer in his backyard. They developed a plan to go into Suspect Spencer's backyard to arrest him. Deputy Ament Jr. discussed going "hands on" and Deputy Garay would use the Taser if necessary.

Deputy Ament Jr. climbed over the south side gate of Suspect Spencer's home and approached him from behind. Suspect Spencer was toward the north side near the backyard gate. When Deputy Ament Jr. walked up behind Suspect Spencer, he grabbed Suspect Spencer's elbows from behind and attempted to place his arms behind his back. Suspect Spencer pulled away, turned around and punched Deputy Ament on the left side of his face with his fist. As Deputy Ament Jr. struggled with Suspect Spencer, he heard the Taser being employed. Suspect Spencer screamed at Deputy Ament Jr. and asked him why they were in his backyard and to get out of his backyard. Suspect Spencer pushed Deputy Ament Jr., which caused him to fall backward on the ground. Suspect Spencer fell on top of Deputy Ament chest to chest. Suspect Spencer punched Deputy Ament Jr. on his ribs several times and pushed down on his face with his arms and elbows. Deputy Ament Jr. defended himself and punched Suspect Spencer multiple times in the face and head area, but the punches had no effect on Suspect Spencer

Suspect Spencer turned his attention toward Deputy Garay and got on top of Deputy Garay. Suspect Spencer had his back toward Deputy Ament Jr., so Deputy Ament Jr. grabbed the Taser on the ground and employed the drive-stun mode on his back.

Deputy Ament Jr. noticed the Taser had no effect on Suspect Spencer, so he put it down and attempted to punch Suspect Spencer with his fists. Suspect Spencer turned back toward Deputy Ament Jr. Suspect Spencer attempted to pull Deputy Ament Jr.'s firearm from his holster. Deputy Ament Jr. held on to his firearm with his right hand and told Deputy Garay that Suspect Spencer tried to grab his gun.

The [redacted] (Witness [redacted]) who was [redacted] climbed over the fence and pushed Suspect Spencer off the deputies and held him down on the ground. Deputy Ament Jr. handcuffed Suspect Spencer's right arm with a pair of handcuffs and Deputy Garay handcuffed Suspect Spencer's left arm with second pair of handcuffs. The handcuffs were then secured together. Suspect Spencer continued to fight as he was handcuffed and on his stomach. Suspect Spencer kicked, thrusted his hips and tried to get up. Deputy Ament Jr. placed the Ripp Hobble restraint device around Suspect Spencer's legs and held Suspect Spencer's legs down.

Deputies Mendez and Alejandre arrived on scene at that time. Due to Suspect Spencer's assaultive behavior, Deputy Mendez told Deputy Ament Jr. to apply the TARP. Deputy Ament Jr. secured the end of the Ripp Hobble restraint device onto the handcuffs completing the TARP. Deputies attempted to place Suspect Spencer on his side, in a recovery position, but Suspect Spencer continued to kick, which caused him to roll back on to his stomach. Shortly after, Deputy Ament Jr. noticed Suspect Spencer was not breathing. Suspect Spencer was turned onto his side, Deputy Garay checked his pulse and noticed it was faint. Deputies removed the TARP and Deputy Garay began doing chest compressions on Suspect Spencer. Deputy Ament Jr. recalled a deputy, unknown who, had requested paramedics to the location prior to Suspect Spencer not breathing and then re-requested paramedics to the location when Suspect Spencer stopped breathing. Deputy continued live saving measures until paramedics arrived and took over life saving measures. Suspect Spencer was pronounced deceased and left at the scene.

Deputy Paul Mendez

On February 4, 2018, Deputy Paul Mendez was interviewed by Homicide Investigators Gina Eguia and Robert Martindale. During the interview, Deputy Mendez was represented by Attorney Maureen Okwuosa. On August 16, 2022, IAB Sergeants Gustavo Munoz and Angel Fisher interviewed Deputy Mendez at the Internal Affairs Bureau office. During the interview, Deputy Mendez was represented by Attorney Amy Johnson.

On February 3, 2018, Deputy Mendez was assigned to Unit 114A, on PM shift, and his partner was Deputy Felipe Alejandre.

Deputy Mendez responded to [redacted] 176th Street East in Lake Los Angeles regarding an assistance request broadcasted over the radio, advising Deputies Garay and Ament Jr. were involved in a fight. Deputy Mendez arrived at the location with Deputy Alejandre and saw Deputies Garay and Ament Jr.'s vehicle parked north of Suspect

Spencer's residence. Deputy Mendez drove up to the patrol vehicle and saw several juveniles pointing, so he ran to the backyard. Deputy Mendez quickly realized he was in the wrong back yard and noticed through the fence Deputies Garay and Ament Jr. held Suspect Spencer down on the ground in the backyard south of where he was. Deputy Alejandre was also next to Deputy Garay. Deputy Mendez said the fence was not constructed well and thought jumping over it would cause the fence to collapse, so he ran around the front of the house into Suspect Spencer's back yard.

Deputy Mendez noticed Suspect Spencer on the ground faced down, handcuffed behind his back, and "hobbled." Suspect Spencer screamed and thrashed his body from side to side. Due to his large physique, he moved Deputy Ament Jr. back and forth and kicked him. Deputy Mendez put his left knee on Suspect Spencer's right arm and his right knee on his mid back. Deputy Mendez discussed a plan with Deputy Garay and the other deputies to see if they could all lift Suspect Spencer and move him to the front of the residence. As Deputies Garay and Mendez loosened their pressure on Suspect Spencer, he thrashed his body from side to side and kicked Deputy Ament Jr. in the face and attempted to get up.

Due to Suspect Spencer's assaultive behavior, Deputy Mendez told Deputy Ament Jr. to place the TARP on Suspect Spencer. Suspect Spencer was in the TARP for approximately 5 to 10 minutes. Deputies placed Suspect Spencer on his side, in a recovery position, approximately three times, but because Suspect Spencer continued to thrash his body and rolled onto his chest. After approximately five minutes, Suspect Spencer stopped thrashing, leading Deputy Mendez to believe he had tired. Deputy Mendez knew Suspect Spencer was breathing because he could see his chest rise and fall. Deputy Mendez noticed Suspect Spencer stopped breathing. They immediately placed Suspect Spencer on his back, and Deputy Garay checked and noticed he did not have a pulse. Deputy Garay began chest compressions and Deputy Mendez administered breaths with an AMBU bag that he obtained from Deputy Alejandre. Deputies Garay and Mendez administered three cycles of CPR before being relieved by Palmdale deputies. A Palmdale deputy, who Deputy Mendez did not know, continued chest compressions until paramedics arrived. Paramedics continued life saving measures on Suspect Spencer. Suspect Spencer was pronounced deceased, and Deputy Mendez left at the scene.

Deputy Mendez reported his use of force to the Lancaster sergeant that arrived on scene but did not recall the sergeant's name.

After reviewing the L-TAC radio traffic **[EXHIBIT D, Audio File No. 3]**, Deputy Mendez recalled receiving a phone call from Deputy Garay, who told him he was going to surveille Suspect Spencer's residence and arrest him if he saw him outside.

Deputy Felipe Alejandre

On February 4, 2018, Deputy Felipe Alejandre was interviewed by Homicide Investigators Gina Eguia and Robert Martindale. During the interview, Deputy Alejandre

was represented by Attorney Maureen Okwuosa from the Law Offices of Rains, Lucia, Stern, St. Phalle and Silver.

On August 8, 2022, IAB Sergeants Gustavo Munoz and Sara Rodriguez interviewed Deputy Alejandre at the Internal Affairs Bureau office. During the interview, Deputy Alejandre was again represented by Attorney Maureen Okwuosa.

On February 3, 2018, Deputy Alejandre was assigned to Lancaster Station on PM shift as Unit 114A, with a start time of [redacted] hours. The unit was assigned to patrol the unincorporated area of Lake Los Angeles. Deputy Alejandre was on his [redacted] of the [redacted] at the time and worked a two-person car with his [redacted] Deputy Paul Mendez.

Deputy Alejandre responded to [redacted] 176th Street East in Lake Los Angeles regarding an assistance request broadcasted advising Deputies Garay and Ament Jr. were involved in a fight. Deputies Alejandre and Mendez arrived at the location and saw Deputies Garay and Ament Jr.'s vehicle parked north of Suspect Spencer's residence. Deputy Mendez drove up to the patrol vehicle. Deputy Alejandre saw a male white on the south side of Suspect Spencer's residence, waving him down. Deputy Alejandre ran toward the male who told him the deputies were in the backyard.

Deputy Alejandre entered the backyard from the south gate, which was unlocked, and noticed Deputies Garay and Ament Jr. on the ground with Suspect Spencer, on the north side of the backyard. Suspect Spencer was face down on the ground, thrashed his body from side to side and kicked his legs. Deputy Ament Jr. kneeled near the Suspect Spencer's feet and grabbed his legs. Deputy Garay was kneeled on the left side of Suspect Spencer, holding Suspect Spencer down with both of hands on his back. Deputy Alejandre placed his hands on Suspect Spencer's upper back to hold him down, and noticed he was handcuffed, and his legs were "hobbled." Suspect Spencer yelled and moved his body from side to side.

Deputy Mendez told Deputy Alejandre to get the patrol vehicle and move it to the front of the residence so they could place Suspect Spencer in the backseat. Deputy Alejandre ran to the front and moved the patrol vehicle near the north side gate. Deputy Alejandre quickly returned to the backyard. When they tried to move Suspect Spencer, he thrashed his body from side to side and kicked Deputy Ament Jr. on the chest. Deputy Alejandre heard someone say to apply the TARP on Suspect Spencer. Deputy Ament Jr. placed the TARP on Suspect Spencer and secured the clip of the Ripp Hobble restraint device onto the handcuffs.

Deputy Alejandre and the other deputies attempted to place Suspect Spencer on his side, in a recovery position; however Suspect Spencer continued to thrash his body and kicked, so they decided to leave Suspect Spencer face down on his stomach. Suspect Spencer had the TARP applied for approximately 10-15 minutes but still actively moved. The deputies noticed Suspect Spencer was not breathing and placed him on his back to check his pulse. The deputies turned Suspect Spencer over to remove the handcuffs

and the TARP, then placed Suspect Spencer on his back. Deputy Alejandre did not remember what deputy began to do CPR. Deputy Alejandre was instructed by Deputy Mendez to go to the front and get the paramedics. Deputy Alejandre remembered he saw the ambulance in front of the residence earlier, so he ran to the front to get medical personnel. When he ran out front, he saw the ambulance was no longer there. Deputy Alejandre ran back and told Deputy Mendez the ambulance was no longer there. Deputy Mendez broadcasted over his radio for the paramedics to respond to the location. Paramedics arrived on scene within a minute and began to treat Suspect Spencer. Suspect Spencer was pronounced deceased, and Deputy Alejandre left the scene.

Deputy Alejandre stated Sergeant Goedecke #[redacted], arrived approximately ten minutes after medical personnel arrived. Deputy Alejandre reported the force he used to Sergeant Goedecke.

EMPLOYEE WITNESS INTERVIEWS:

Deputy Leo Lane

Homicide Interview

On February 4, 2018, Deputy Leo Lane was interviewed by Homicide Investigators Gina Eguia and Robert Martindale. The interview is summarized in the Homicide Case Book **[EXHIBIT A, Homicide Case Book, Pages 40-41].**

On February 3, 2018, Deputy Leo Lane was assigned to Palmdale Station on PM shift as Unit 265, with a start time of [redacted] hours. The unit was assigned to patrol the east unincorporated area of Palmdale. Deputy Lane was a [redacted] working with Deputy Michael Pierson who was [redacted]

Deputy Lane responded to [redacted] 176th Street East in Lake Los Angeles after he heard a Lancaster Station deputy broadcast, he was involved in a fight. When Deputy Lane arrived, he saw several deputies holding Suspect Spencer down on the ground in the backyard. Deputy Lane entered the backyard and saw the involved deputies appeared out of breath as if they had been in a struggle with the suspect. Deputy Lane did not recall if Suspect Spencer struggled at that time but assumed he was not because the deputies had a good grip on him. Suspect Spencer was faced down, with the TARP applied, and his head faced to his side. Deputies Garay and Deputy Ament Jr. held Suspect Spencer's legs down and Deputy Mendez was kneeled on his back.

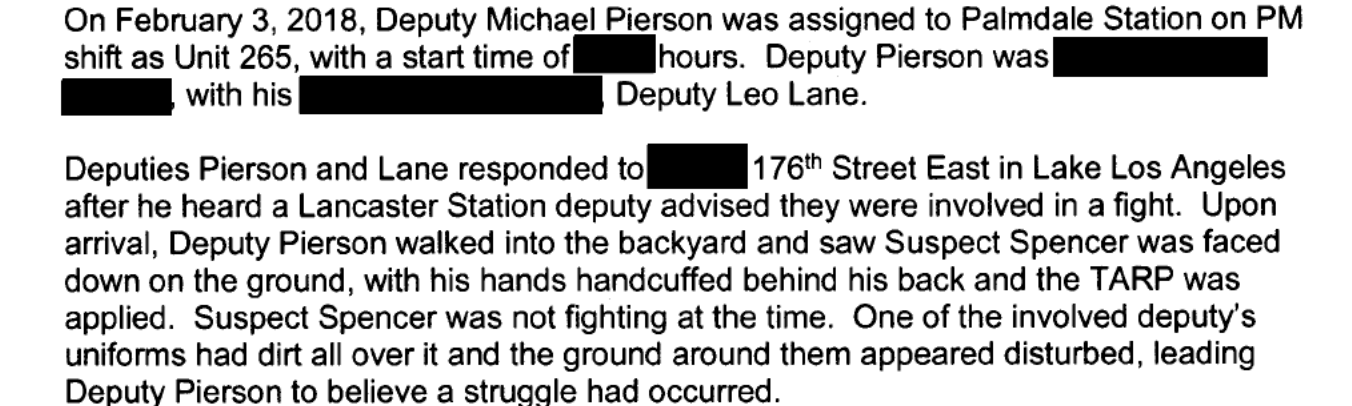
Deputy Lane asked the deputies if they were fine, they replied yes. Deputy Lane advised he was going to the front to direct the sergeant and medical personnel into the location. While Deputy Lane was out front, he heard over the radio Suspect Spencer was not breathing and deputies were requesting paramedics to the location. Deputy Lane looked into the backyard and noticed Deputy Pierson doing chest compressions on Suspect Spencer but could not tell what the other deputies did.

Deputy Lane remained outside and briefed the Lancaster Station sergeant about the incident when he arrived.

Deputy Michael Pierson

On February 4, 2018, Deputy Michael Pierson was interviewed by Homicide Investigators Gina Eguia and Robert Martindale.

On August 19, 2022, IAB Sergeant Gustavo Munoz interviewed Deputy Pierson at the Lancaster Sheriff Station. During the interview, Deputy Pierson was represented by Attorney Sherry Lawrence from the Law Offices of Stone Busailah, LLP.



On February 3, 2018, Deputy Michael Pierson was assigned to Palmdale Station on PM shift as Unit 265, with a start time of [redacted] hours. Deputy Pierson was [redacted], with his [redacted], Deputy Leo Lane.

Deputies Pierson and Lane responded to [redacted] 176th Street East in Lake Los Angeles after he heard a Lancaster Station deputy advised they were involved in a fight. Upon arrival, Deputy Pierson walked into the backyard and saw Suspect Spencer was faced down on the ground, with his hands handcuffed behind his back and the TARP was applied. Suspect Spencer was not fighting at the time. One of the involved deputy's uniforms had dirt all over it and the ground around them appeared disturbed, leading Deputy Pierson to believe a struggle had occurred.

Deputy Pierson saw Deputy Mendez had his knees on Suspect Spencer's back, and Deputies Garay and Ament Jr. controlled Suspect Spencer's lower body. Deputy Garay requested paramedics to the location. Deputy Lane stated he was going to walk out front to direct paramedics into the location. Deputy Pierson remained in the backyard for less the five minutes and could noticed Suspect Spencer was breathing because his hair was on his face and his hair moved when Suspect Spencer breathed. Shortly after, Suspect Spencer did not appear to be breathing. Suspect Spencer was turned on his back, a deputy checked his pulse and confirmed he was not breathing.

Deputy Garay did chest compressions as Deputy Mendez administered breaths with an AMBU bag. Deputy Pierson relieved Deputy Garay shortly after and continued administering chest compressions until medical personnel arrived to relieve him. Medical personnel took over lifesaving efforts but were unsuccessful. Suspect Spencer was pronounced deceased at the scene by paramedics.

Deputy Pierson reported what he witnessed to the Lancaster Sergeant who arrived on scene after the incident. Deputy Pierson did not recall the sergeant's name because he was from Lancaster Station.

Reserve Deputy Edward Arnone

On February 4, 2018, Reserve Deputy Edward Arnone was interviewed by Homicide Investigators Gina Eguia and Robert Martindale.

On July 11, 2022, IAB Sergeant Gustavo Munoz interviewed Reserve Deputy Arnone at the Barry J. Nidorf Sylmar Juvenile Courthouse.

Reserve Deputy Arnone was a level 1D Reserve, who completed the Sheriff's Academy and the Field Training Program at Palmdale Station. Reserve Deputy Arnone was allowed to work a patrol assignment on his own without being accompanied by a full-time peace officer.

On February 3, 2018, Reserve Deputy Arnone was assigned to Palmdale Station on PM shift as Unit 261R, with a start time of [redacted] hours. Reserve Deputy Arnone responded to [redacted] 176th Street East in Lake Los Angeles regarding emergency radio traffic broadcasted by Lancaster deputies. Reserve Deputy Arnone responded from the city of Littlerock as he was close to Lake Los Angeles. Reserve Deputy Arnone arrived at the location at the same time as Deputies Lane and Pierson. Reserve Deputy Arnone noticed a deputy walking out from the backyard, leading him to believe the urgency in the situation had calmed down. Reserve Deputy Arnone walked into the backyard through the north gate and saw Lancaster deputies holding Suspect Spencer down. The deputies appeared winded as if they had been in a "tough situation."

Suspect Spencer was faced down on the ground, with his hands handcuffed behind his back, and the Ripp Hobble restraint device was around his ankles. Deputy Mendez had his left knee on the Suspect Spencer's shoulders and his right knee on the floor, another deputy was holding Suspect Spencer's legs. Suspect Spencer was not moving, and Reserve Deputy Arnone was not sure if Suspect Spencer was breathing at that time. Reserve Deputy Arnone asked the Lancaster deputies if they were okay and how he could assist, they replied they were okay. Reserve Deputy Arnone remained in the backyard for approximately three minutes when he heard a deputy say check for a pulse. Suspect Spencer appeared extremely lethargic, a deputy checked and determined Suspect Spencer did not have a pulse. Paramedics were requested over the radio to responded into the backyard.

Once deputies began CPR, Reserve Deputy Arnone walked to the front of the residence to tell Deputy Lane to direct the paramedics into the location.

Reserve Deputy Arnone reported what he observed to the Lancaster Sergeant who arrived on scene, he could not remember his name because he was from Lancaster Station.

Sergeant Jason Goedecke

On September 8, 2022, IAB Sergeants Gustavo Munoz and Angel Fisher interviewed Sergeant Jason Goedecke at the Lancaster Sheriff's Station.

On February 3, 2018, Sergeant Goedecke was assigned to Lancaster Station on PM shift as Unit 113S, with a start time of [redacted] hours.

Sergeant Goedecke attended the 1400 hour briefing that day, which Deputies Garay and Ament Jr. were present. Sergeant Goedecke recalled Detective Gore was in the briefing and informed specifically the Lake Los Angeles unit, to conduct patrol checks in the neighborhood where Suspect Spencer lived due to past incidents of harassing the [redacted]. Detective Gore explained Suspect Spencer was a named Suspect in a criminal threats report from a few days prior and was arrestable if found outside. Sergeant Goedecke recalled Detective Gore stated he had not filed the case with the District Attorney's office yet, but a report had already been written. Sergeant Goedecke discussed Suspect Spencer's mental health issues in briefing as he was familiar with Suspect Spencer from responding to a call a few days prior, where Suspect Spencer had threatened some children in the neighborhood and later barricaded himself in his residence when deputies attempted to detain him. Sergeant Goedecke briefed Suspect Spencer's hostility toward law enforcement and his mental health status, and when Suspect Spencer had cut-off chicken heads and nailed them on the fence posts in front of his residence and Suspect Spencer was a military veteran.

Sergeant Goedecke spoke to Deputies Garay and Ament Jr. and told them to conduct patrol checks in Suspect Spencer's neighborhood and make their presence known to place the neighbors at ease and to make them feel safe. Sergeant Goedecke told Deputies Garay and Ament Jr. to notify him if they saw Suspect Spencer and to arrest him if they saw him outside. Sergeant Goedecke did not give specific instructions on how to arrest Suspect Spencer, nor was there anything discussed about what to do if deputies saw Suspect Spencer in his backyard. Sergeant Goedecke spoke in general as far as if the suspect was seen outside, to arrest him. Sergeant Goedecke told Deputies Garay and Ament Jr. if Suspect Spencer entered his residence, to treat it as a barricaded suspect, make call outs to get Suspect Spencer to exit and wait for additional personnel to arrive.

Later in the shift, Sergeant Goedecke was notified by Deputy Garay over the radio, on the L-TAC radio frequency, Suspect Spencer was outside and had just made his way back into his house. Sergeant Goedecke began to drive to the Lake Los Angeles area from 25th Street East and Avenue K. Shortly after Sergeant Goedecke began to respond he heard Deputy Garay broadcast on the radio he was involved in a fight. Sergeant Goedecke did not know Deputies Garay and Ament Jr. entered the backyard of Suspect Spencer's residence.

By the time Sergeant Goedecke arrived on scene, the physical altercation was over. Sergeant Goedecke recalled medical personnel got into the ambulance. Deputies

Garay, Ament Jr, Mendez and Alejandre gave Sergeant Goedecke a brief summary of what occurred.

Sergeant Goedecke separated Deputies Garay and Ament Jr. and arranged for their transportation to the station. Sergeant Goedecke made sure the scene was secured, possible witnesses remained at the location to be interviewed by Homicide investigators and confirmed a command post was established. Sergeant Goedecke recalled Deputy Mendez told him he had done something with the Ripp Hobble restraint device, but he could not recall what was said.

CIVILIAN WITNESS INTERVIEWS:

Witness [redacted]

Homicide Interview

On February 3, 2018, [redacted] was interviewed by Homicide Investigators Gina Eguia and Robert Martindale. The interview is summarized in the Homicide Case Book **[EXHIBIT A, Homicide Case Book, Pages 43-46].**

Witness [redacted] stated his [redacted] Witness [redacted] lived [redacted] to Suspect Spencer. On the day of the incident Witness [redacted] received a call from his [redacted] to respond to her residence because deputies were wrestling with Suspect Spencer in his backyard. When Witness [redacted] arrived, he obtained a spare key from Witness [redacted] and unlocked Suspect Spencer's gate on the south side of the residence to allow the arriving deputies access to Suspect Spencer's backyard. Witness [redacted] waved down the arriving deputies and pointed into Suspect Spencer's backyard. Witness [redacted] saw several deputies holding Suspect Spencer down on the ground. Suspect Spencer was face down on the ground, with his hands handcuffed behind his back, and a rope secured to his legs, which was then attached to the handcuffs. One deputy was kneeled on Suspect Spencer's back, while another held his legs, and the third held his arms. Suspect Spencer was lying on his stomach, Witness [redacted] heard him yell, "I can't breathe!" The deputies told him to relax and to calm down.

Witness [redacted] secured Suspect Spencer's dogs inside the house. Then at the deputy's request, Witness [redacted] broke the lock and opened the north gate. When Witness [redacted] walked to the front of the residence, he noticed the deputies removed the handcuffs from Suspect Spencer and began to perform CPR.

Witness [redacted]

On February 3, 2018, Donald [redacted] was interviewed by Homicide Investigators Gina Eguia and Robert Martindale. The interview is summarized in the Homicide Case Book **[EXHIBIT A, Homicide Case Book, Pages 46-47].**

Witness [redacted] was playing soccer in the [redacted] next to Suspect Spencer's house. Witness [redacted] saw two deputies approached Suspect Spencer from behind. One deputy attempted to place Suspect Spencer's hands behind his back, but Suspect Spencer punched deputies with his fists, and asked the deputies why they were arresting him and why they were in his backyard. During the struggle, Suspect Spencer's jacket came off and the deputy fell to the ground on his back. Suspect Spencer fell on top of the deputy, stomach to stomach. Suspect Spencer began to punch and hit the deputy on his side and stomach area. The deputy tried to block the punches and punched Suspect Spencer's back in the stomach.

Suspect Spencer reached for the deputy's gun, and another deputy "tased" the suspect but the Taser did not work. As the deputies struggled with the Suspect Spencer the neighbor, Witness [redacted] jumped over the fence and grabbed Suspect Spencer. The deputies, with the assistance of Witness [redacted] were then able to get Suspect Spencer onto his stomach and got his arms behind his back. The deputies put their knees on Suspect Spencer's back and butt. Suspect Spencer "was trying to get away" and one of the deputies employed the Taser a second time. Suspect Spencer then stopped moving. The deputies then checked Suspect Spencer's pulse and began to push on his stomach.

Witness [redacted]

On February 4, 2018, Witness [redacted] was interviewed by Homicide Investigators Gina Eguia and Robert Martindale. The interview is summarized in the Homicide Case Book **[EXHIBIT A, Homicide Case Book, Pages 47-49].**

Witness [redacted] was on her [redacted] when she saw Suspect Spencer talking to the [redacted] Witness [redacted], [redacted] of Suspect Spencer's home. A deputy approached Suspect Spencer from behind, but Suspect Spencer was unaware of the deputy's presence. Once the deputy grabbed Suspect Spencer, he "exploded." Suspect Spencer punched the deputy, and the deputy grabbed a hold of his jacket. The jacket slipped off and caused the deputy to lose his balance. The deputy fell to the ground and Suspect Spenser fell on top of him. The second deputy jumped a fence and approached. Witness [redacted] heard a "pop" assuming a Taser was used on Suspect Spencer. While on the ground, Suspect Spencer fought, kicked, and screamed. The deputies tried to hold Suspect Spencer down. Suspect Spencer reached back and appeared as if he reached for one of the deputy's guns. The [redacted] Witness [redacted] jumped over the fence to help the deputies hold Suspect Spencer on the ground. Witness [redacted] noticed the deputies tide Suspect Spencer's shoes together to prevent him from running away.

IAB Note: **During the IAB investigation, Department personnel applied the Ripp Hobble restraint device on Suspect Spencer's ankles and did not tie Suspect Spencer's shoes together.**

Additional deputies arrived but Witness [redacted] did not observe the entire incident because it was hard for her to watch, so Witness [redacted] walked in and out of the residence a few times. Suspect Spencer had been Witness [redacted] for the last 4 years, and the used to be friendly, but Suspect Spencer's mental demeanor had increasingly worsened, and she was afraid of him. Suspect Spencer assaulted Witness [redacted] with an axe in the past and terrorized the adults and children in the neighborhood with threats of injury and death.

Witness [redacted]

On February 4, 2018, [redacted] was interviewed by Homicide Investigators Gina Eguia and Robert Martindale. The interview is summarized in the Homicide Case Book **[EXHIBIT A, Homicide Case Book, Pages 49-50].**

Witness [redacted] was playing soccer in his [redacted] (Witness [redacted]) [redacted] which is [redacted] Suspect Spencer's residence. Witness [redacted] saw his [redacted] Witness [redacted] speaking with Suspect Spencer [redacted] chain-link fence. Two deputies entered Suspect Spencer's yard and approached from behind without his knowledge. One deputy said, "You're under arrest!" Suspect Spencer got mad and started to punch the deputy in the back. The deputy fell on the floor and Suspect Spencer got on top of the deputy and reached for his gun. The second deputy tried to get Suspect Spencer off the deputy on the ground, and a deputy used the Taser on Suspect Spencer's back.

Witness [redacted] climbed over the fence and pushed Suspect Spencer off the deputies and tried to put his arms behind his back so the deputies could handcuff him. One deputy hit Suspect Spencer on the butt with a flashlight, then the deputies tied a rope on Suspect Spencer's feet. Suspect Spencer was face down on the ground and tried to get up, acted crazy, and kicked wildly. Witness [redacted] believed the deputies used the Taser a second time on Suspect Spencer. Suspect Spencer then told deputies he could not breathe. While Suspect Spencer was on the ground, he tried to get up. Deputies told Suspect Spencer approximately five times to stop fighting. Witness [redacted] was told by Witness [redacted] to go back into the house, and he did not see what happened after.

Witness [redacted]

On February 4, 2018, [redacted] was interviewed by Homicide Investigators Gina Eguia and Robert Martindale. The interview is summarized in the Homicide Case Book **[EXHIBIT A, Homicide Case Book, Pages 50-51].**

Witness [redacted] was in [redacted] playing soccer. Witness [redacted] saw his [redacted] Witness [redacted] speaking to Suspect Spencer about tattoo's, through the [redacted] chain-linked fence. Witness [redacted] heard the sound of a Taser, looked over and saw Suspect Spencer on the ground with deputies who tried to calm him down.

Suspect Spencer kicked and punched one of the deputies. The deputies used the Taser approximately three times on Suspect Spencer who yelled, "It hurts!"

Witness [redacted] saw Suspect Spencer reached for one of the deputy's guns, so his [redacted] Witness [redacted] climbed over the fence and stopped Suspect Spencer from retrieving the gun. Witness [redacted] grabbed Suspect Spencer so the deputies could handcuff him. Witness [redacted] walked back into his home at that time and did not see what else occurred.

Witness [redacted]

On February 4, 2018, [redacted] was interviewed by Homicide Investigators Gina Eguia and Robert Martindale. Witness [redacted] was a Spanish-speaker, therefore, Lancaster Deputy Yeni Deciga # [redacted] acted as a translator between Witness [redacted] and Homicide Detectives. The interview is summarized in the Homicide Case Book **[EXHIBIT A, Homicide Case Book, Pages 51-53].**

Witness [redacted] to Suspect Spencer, and saw her [redacted] Witness [redacted] talking to Suspect Spencer through the chain-link fence. Two deputies approached Suspect Spencer in his backyard and attempted to detain Suspect Spencer. A deputy attempted to place Suspect Spencer's hands behind his back and Suspect Spencer became very aggressive. Suspect Spencer struggled with the deputies and would not let himself be handcuffed. A deputy used a Taser on Suspect Spencer. The other deputy fell on the ground and Suspect Spencer fell on top of him. Suspect Spencer then attempted to grab the deputy's gun while he was on the ground. Witness [redacted] was afraid she and her family could be hurt. Her [redacted] Witness [redacted] began to climb over the fence, but Witness [redacted] tried to stop him. Witness [redacted] wanted to help the deputies, so he jumped the fence, got on top of Suspect Spencer, and pulled him back, which allowed the deputy to move out from underneath Suspect Spencer. Witness [redacted] held Suspect Spencer down while deputies handcuffed him. Suspect Spencer continued to fight and kicked at deputies. Witness [redacted] heard a Taser, but was unsure who used it, or how the Taser effected a person. Witness [redacted] noticed the deputies began to perform CPR and noticed the paramedics arrived to provide medical treatment.

Witness [redacted]

On February 4, 2018, [redacted] was interviewed by Homicide Investigators Gina Eguia and Robert Martindale. Witness [redacted] was a Spanish-speaker, therefore, Lancaster Deputy Yeni Deciga # [redacted] acted as a translator between Witness [redacted] and Homicide Detectives. The interview is summarized in the Homicide Case Book **[EXHIBIT A, Homicide Case Book, Pages 53-55].**

Witness [redacted] was in his [redacted] barbecuing when Suspect Spencer approached the chain-linked fence and began converse with him about his tattoos.

Witness [redacted] was visiting his family who lived [redacted] to Suspect Spencer. Witness [redacted] had been informed of problems that occurred between his [redacted] and Suspect Spencer. At that time, two deputies arrived to arrest Suspect Spencer. Witness [redacted] saw Suspect Spencer in the [redacted] so he tried to distract him by talking to him through the chain-link fence. One deputy approached Suspect Spencer from behind, identified himself as a law enforcement officer, and told Suspect Spencer not to move. As the deputy grabbed Suspect Spencer, he turned and began to struggle with the deputy. During the struggle, Suspect Spencer knocked the deputy down to the ground and fell on top of the deputy. While on the ground, Suspect Spencer reached for the deputy's gun, touched it, attempted to pull it, but it did not come out of the holster. Witness [redacted] climbed over the fence to assist the deputies and grabbed Suspect Spencer's left arm while the other deputy grabbed the right arm. Witness [redacted] said Suspect Spencer was very strong, but the deputies were able to handcuff both arms behind his back. Once Suspect Spencer was handcuffed, Witness [redacted] heard sirens approached the residence. Witness [redacted] backed off when he saw additional deputies arrived on scene and walked back to his [redacted] and the other children who were scared and crying. When Witness [redacted] looked into Suspect Spencer's yard, he saw the deputy's performing CPR.

Witness [redacted] added, he heard the sound of the Taser and saw the Taser prongs on Suspect Spencer's side. Witness [redacted] believed the Taser was not effective because Suspect Spencer continued to move around, yelled, and laughed at the deputies during the altercation.

ADDITIONAL INFORMATION

Deputy Ament Jr. resigned from the Los Angeles County Sheriff's Department on March 2, 2022, [redacted] On June 28, 2022, IAB Sergeant Gustavo Munoz left a voicemail on Deputy Ament Jr.'s cellphone to request an interview. A letter requesting an interview was also mailed to Deputy Ament Jr.'s residence **[MISC. DOCUMENTS – Mailing receipt]**. At the completion of this investigation, Deputy Ament Jr. had not contacted IAB Sergeant Munoz.

Deputy Leo Lane retired from the Los Angeles County Sheriff's Department on March 2, 2021. On June 28, 2022, IAB Sergeant Gustavo Munoz spoke with Deputy Lane on the telephone and requested an interview. Deputy Lane respectfully declined to be interviewed by IAB investigators.

In-Custody Death of Jeremy Spencer

Los Angeles County Sheriff's Department

Deputy Steven Ament, #[redacted]
Deputy Robert Garay, #[redacted]
Deputy Felipe Alejandre, #[redacted]
Deputy Paul Mendez, #[redacted]

J.S.I.D. File #18-0073



GEORGE GASCÓN

District Attorney

Justice System Integrity Division

February 24, 2022

MEMORANDUM

TO: CAPTAIN JOE MENDOZA
Los Angeles County Sheriff's Department
Homicide Bureau
1 Cupania Circle
Monterey Park, California 91755

FROM: JUSTICE SYSTEM INTEGRITY DIVISION
Los Angeles County District Attorney's Office

SUBJECT: In-Custody Death of Jeremy Spencer
J.S.I.D. File #18-0073
L.A.S.D. File #018-02285-1197-058

DATE: February 24, 2022

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the February 3, 2018, in-custody death (ICD) of Jeremy Spencer involving Los Angeles County Sheriff's Department (LASD) Deputies Steven Ament, Robert Garay, Felipe Alejandre, and Paul Mendez. It is our conclusion that the deputies used reasonable force to arrest Spencer and are not criminally responsible for Spencer's death.

The District Attorney's Command Center was notified of this in-custody death on February 3, 2018, at approximately 6:31 p.m. The District Attorney Response Team responded to the location. They were given a briefing and walk-through of the scene by LASD Lieutenant Derrick Alfred.

The following analysis is based on reports, recorded interviews, and photographs submitted to this Office by the LASD Detective Division, Homicide Bureau. There is no video of this incident.

FACTUAL ANALYSIS

On February 1, 2018, LASD Deputies Ament and Garay responded to a call at Spencer's residence where neighbors alleged that Spencer made verbal threats to kill children who lived in the neighborhood. When Ament and Garay responded to the location, Spencer barricaded himself inside his house. As such, the deputies were unable to arrest Spencer and they left the location.

Prior to responding back to Spencer's residence to effectuate an arrest, Ament and Garay received a briefing about prior allegations of violence by Spencer. Ament and Garay were informed that many of Spencer's neighbors were living in fear of him. The neighbors had previously reported that Spencer had previously threatened them with an

axe and a pole in addition to threatening the neighborhood children. Furthermore, the officers were informed that Spencer had previously approached a Lancaster LASD deputy while armed with a pitchfork. Ament and Garay were aware that Spencer had two firearms registered to him.

On February 3, 2018, at approximately 4:45 p.m., Ament and Garay conducted a follow-up visit to the location to arrest Spencer for his prior criminal threats. Both deputies were in uniform. In an attempt to prevent Spencer from barricading himself inside his house for a second time, Ament and Garay planned to arrest him outside of his residence.

When they arrived at Spencer's residence, they observed him in his backyard talking to [redacted][1] Ament jumped over the fence south of the house and Garay jumped over the fence north of the house. Both deputies were able to enter Spencer's backyard without him noticing. They approached Spencer. Ament advised Spencer that he was a deputy sheriff and ordered him to place his hands behind his back. Ament then placed his hands on Spencer's forearm in an attempt to direct Spencer's arm behind his back to be handcuffed.

Spencer immediately pulled away, turned to face Ament, and struck Ament in the face with a closed fist. Ament fell to the ground and Garay ran over to assist. Spencer straddled Ament as he lay on the ground and continued punching Ament in the face and upper body. Garay fired his Taser at Spencer striking him in the lower left side of his abdomen, but the Taser appeared to be ineffective. Garay began punching Spencer in the face and back in an attempt to stop the assault on Ament.

Spencer turned towards Garay and tackled him to the floor. Garay fell onto his back and Spencer climbed on top of him and began punching him in the upper body. Ament grabbed the Taser that had fallen to the floor and drive stunned Spencer's lower left back and leg area. The Taser appeared to be ineffective, so Ament began punching Spencer in the back and face in an attempt to stop the assault on Garay.

Spencer returned his attention to Ament and wrestled him back to the ground. Garay's legs were pinned under Spencer's body so Garay was unable to get up off the floor. Garay saw a flashlight on the ground and struck Spencer on the back with the flashlight several times. At the same time, Spencer grabbed Ament's firearm and tried to pull it from the holster. Ament yelled out, "He's going for my gun! He's going for my gun!"

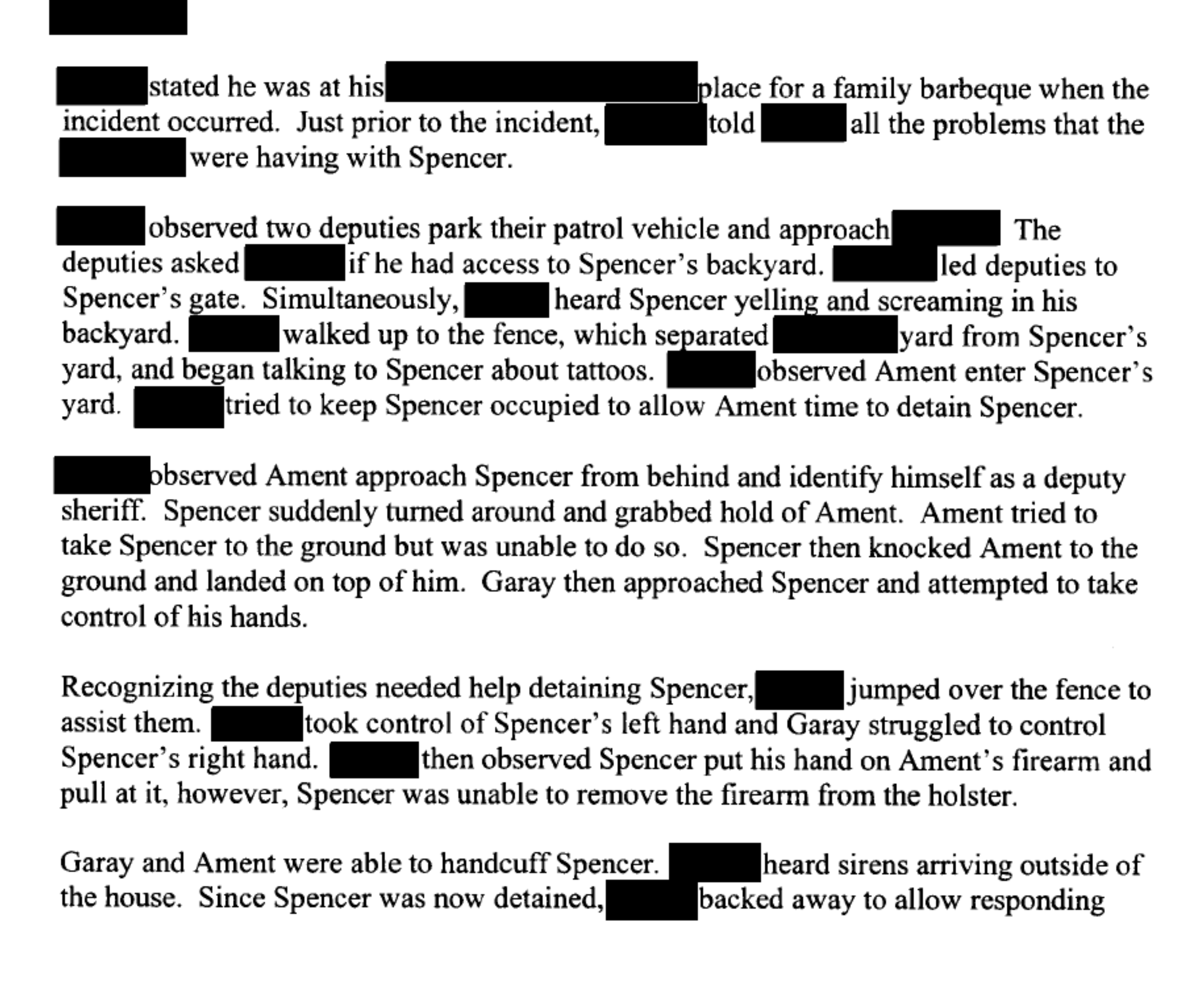
[redacted] jumped over the fence and assisted deputies. He pushed Spencer off of the deputies and held Spencer to the ground. Garay and Ament were able to handcuff Spencer, as he continued screaming and kicking at the deputies. Garay held Spencer's upper body down to the ground as Ament held onto Spencer's legs and feet.

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[1] Spencer's backyard is enclosed by a chain link fence, which was clear of obstacles and visible to the public. Investigators noted that as they stood in the front of Spencer's residence, they could see into the backyard without any obstructions.

Deputies Felipe Alejandre and Paul Mendez arrived on scene and observed Ament and Garay holding Spencer down to the ground. Due to Spencer's erratic behavior, Ament placed a "Ripp Hobble" around Spencer's ankles and the four deputies attempted to escort Spencer to a police vehicle.[2] Spencer continued his combative behavior, so the deputies were unable to safely move him. The deputies completed the Total Appendage Restraint Position (TARP) in order to prevent Spencer from getting up off the ground and further injuring himself.[3]

While in the TARP position, deputies repeatedly rolled Spencer onto his side, however, Spencer kept rolling himself back onto this stomach. As the four deputies were holding Spencer down, Spencer's movements suddenly slowed and became unresponsive. The hobble and handcuffs were immediately removed, and deputies began cardiopulmonary resuscitation. Paramedics arrived and continued to render medical aid. Spencer was transported to Antelope Valley Hospital where he was pronounced dead at 5:26 p.m. by Doctor Hsieh.



[redacted]

[redacted] stated he was at his [redacted] place for a family barbeque when the incident occurred. Just prior to the incident, [redacted] told [redacted] all the problems that the [redacted] were having with Spencer.

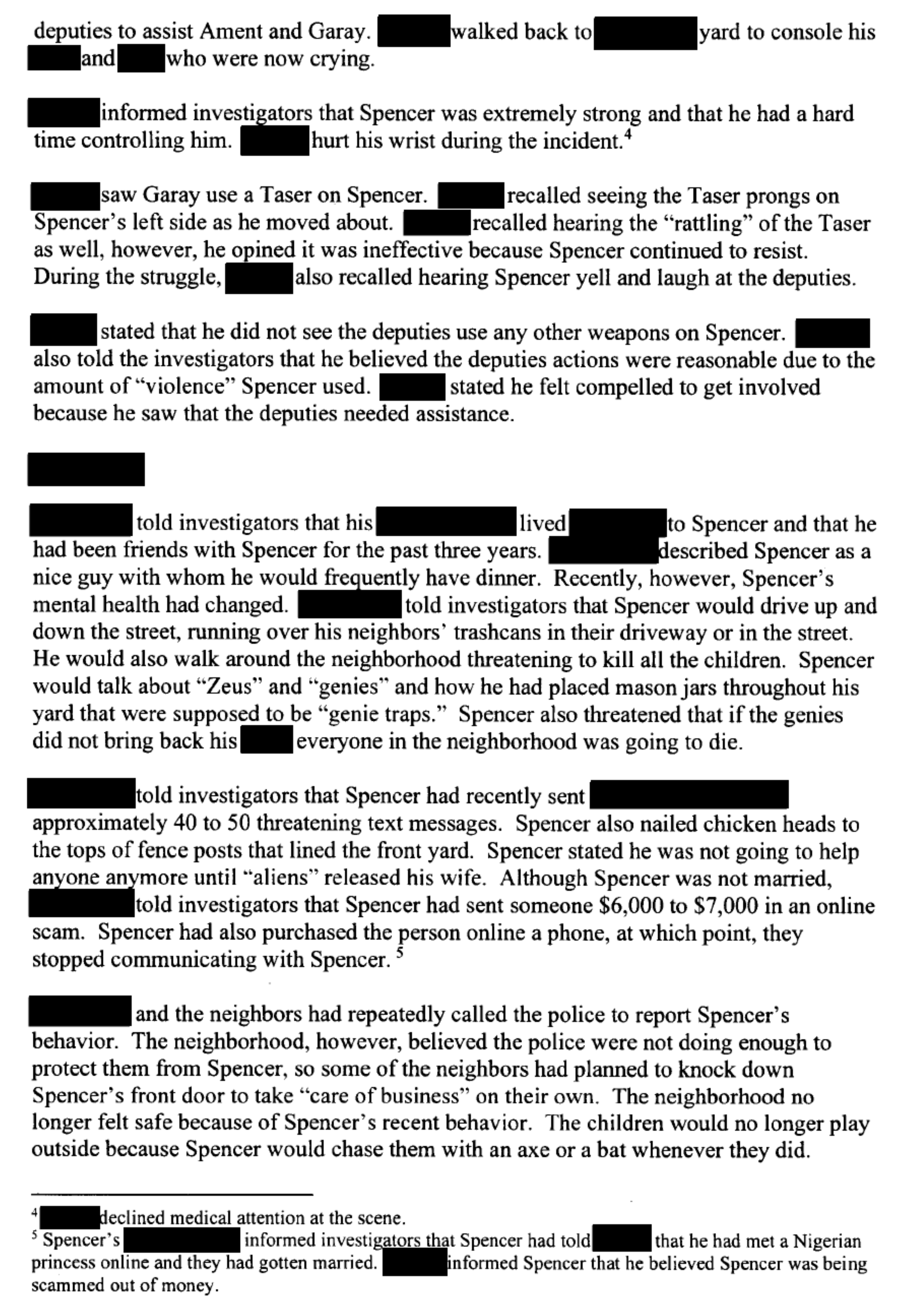
[redacted] observed two deputies park their patrol vehicle and approach [redacted] The deputies asked [redacted] if he had access to Spencer's backyard. [redacted] led deputies to Spencer's gate. Simultaneously, [redacted] heard Spencer yelling and screaming in his backyard. [redacted] walked up to the fence, which separated [redacted] yard from Spencer's yard, and began talking to Spencer about tattoos. [redacted] observed Ament enter Spencer's yard. [redacted] tried to keep Spencer occupied to allow Ament time to detain Spencer.

[redacted] observed Ament approach Spencer from behind and identify himself as a deputy sheriff. Spencer suddenly turned around and grabbed hold of Ament. Ament tried to take Spencer to the ground but was unable to do so. Spencer then knocked Ament to the ground and landed on top of him. Garay then approached Spencer and attempted to take control of his hands.

Recognizing the deputies needed help detaining Spencer, [redacted] jumped over the fence to assist them. [redacted] took control of Spencer's left hand and Garay struggled to control Spencer's right hand. [redacted] then observed Spencer put his hand on Ament's firearm and pull at it, however, Spencer was unable to remove the firearm from the holster.

Garay and Ament were able to handcuff Spencer. [redacted] heard sirens arriving outside of the house. Since Spencer was now detained, [redacted] backed away to allow responding

[2] A Ripp Hobble is a restraining device used to secure the legs and ankles of a suspect.
[3] A TARP is completed when the end of the Rip Hobble is secured to the subject's hands, thus simultaneously securing all of the subject's limbs.



deputies to assist Ament and Garay. [redacted] walked back to [redacted] yard to console his [redacted] and [redacted] who were now crying.

[redacted] informed investigators that Spencer was extremely strong and that he had a hard time controlling him. [redacted] hurt his wrist during the incident.[4]

[redacted] saw Garay use a Taser on Spencer. [redacted] recalled seeing the Taser prongs on Spencer's left side as he moved about. [redacted] recalled hearing the "rattling" of the Taser as well, however, he opined it was ineffective because Spencer continued to resist. During the struggle, [redacted] also recalled hearing Spencer yell and laugh at the deputies.

[redacted] stated that he did not see the deputies use any other weapons on Spencer. [redacted] also told the investigators that he believed the deputies actions were reasonable due to the amount of "violence" Spencer used. [redacted] stated he felt compelled to get involved because he saw that the deputies needed assistance.

[redacted]

[redacted] told investigators that his [redacted] lived [redacted] to Spencer and that he had been friends with Spencer for the past three years. [redacted] described Spencer as a nice guy with whom he would frequently have dinner. Recently, however, Spencer's mental health had changed. [redacted] told investigators that Spencer would drive up and down the street, running over his neighbors' trashcans in their driveway or in the street. He would also walk around the neighborhood threatening to kill all the children. Spencer would talk about "Zeus" and "genies" and how he had placed mason jars throughout his yard that were supposed to be "genie traps." Spencer also threatened that if the genies did not bring back his [redacted] everyone in the neighborhood was going to die.

[redacted] told investigators that Spencer had recently sent [redacted] approximately 40 to 50 threatening text messages. Spencer also nailed chicken heads to the tops of fence posts that lined the front yard. Spencer stated he was not going to help anyone anymore until "aliens" released his wife. Although Spencer was not married, [redacted] told investigators that Spencer had sent someone $6,000 to $7,000 in an online scam. Spencer had also purchased the person online a phone, at which point, they stopped communicating with Spencer.[5]

[redacted] and the neighbors had repeatedly called the police to report Spencer's behavior. The neighborhood, however, believed the police were not doing enough to protect them from Spencer, so some of the neighbors had planned to knock down Spencer's front door to take "care of business" on their own. The neighborhood no longer felt safe because of Spencer's recent behavior. The children would no longer play outside because Spencer would chase them with an axe or a bat whenever they did.

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[4] [redacted] declined medical attention at the scene.

[5] Spencer's [redacted] informed investigators that Spencer had told [redacted] that he had met a Nigerian princess online and they had gotten married. [redacted] informed Spencer that he believed Spencer was being scammed out of money.

On this date, [redacted] received a call from his [redacted] who informed him that deputies were detaining Spencer in the backyard and she wanted [redacted] home to be with her. When [redacted] came home he entered Spencer's backyard and saw Spencer on the ground handcuffed. He observed one deputy sitting on Spencer with two additional deputies holding each arm. A fourth deputy was holding Spencer's feet and Spencer was resisting by kicking and squirming. [redacted] noted that Spencer appeared to be very strong during the altercation.

The deputies then tied a "rope" between Spencer's feet, then tied the rope to the handcuffs. Spencer was on his stomach and [redacted] heard him yell, "I can't breathe! I can't breathe!" The deputies told Spencer to calm down. [redacted] then heard one of them say Spencer was no longer breathing. The deputies rolled Spencer onto his right side, removed the handcuffs and rope, rolled him onto his back, and began CPR.

[redacted]

[redacted] is Spencer's [redacted] He told investigators that Spencer had previously served in the U.S. Army for eight years. Spencer was injured in a vehicle accident during the Iraq war and was medically discharged in 2010 after having back surgery. Prior to his discharge, Spencer had worked as a Chemical Specialist and held the rank of Sergeant.

[redacted] was unaware of any PTSD diagnosis Spencer may have suffered as a result of his tour of duty. [redacted] stated that after Spencer was discharged, he went back to school and earned an associate degree in music. [redacted] noted that Spencer was very respectful and courteous after he was discharged from the military.

In November 2017, however, [redacted] noticed a drastic change to Spencer's personality. One day, Spencer came over to his house and pleaded with [redacted] to give Spencer money. Spencer stated that his [redacted] was in jail and he needed money to get her out. [redacted] believed Spencer was being scammed by someone online and gave Spencer $200.

Spencer then went back to his house and began asking all of his neighbors to borrow money. The neighbors refused and advised Spencer that he was being scammed. Spencer then became angry with them and started threatening his neighbors.

[redacted] stated that the days prior to the incident with the police, Spencer had begun talking to "Zeus" and "genies." [redacted] encouraged Spencer to speak with the deputies when they came over to Spencer's house. Spencer told [redacted] that the deputies were "alien imitators" and that Spencer had power over them.

[redacted] told the investigators that he inquired into getting mental help for Spencer, however, [redacted] was informed that Spencer would need to voluntarily commit himself. [redacted] knew Spencer would refuse to do so, so [redacted] hoped that Spencer would be arrested one day in order for him to get help.

[redacted] allowed the investigators to listen to the last voicemail that Spencer left him on January 31, 2018. Investigators heard Spencer on the recording rambling about witches and genies, who he referred to as "fallen angels." Spencer claimed the reason marijuana was illegal was because it was used to catch genies. Spencer spoke of time machines and teleports between the city of Palmdale and Nigeria. The voicemail appeared to be that of a delusional individual.

Postmortem Autopsy

On February 7, 2018, Los Angeles County Department of Coroner Deputy Medical Examiner Doctor Martina Kennedy performed a post-mortem examination of Spencer. The autopsy revealed no fatal blunt force traumatic injuries. A toxicology test revealed the presence of marijuana.

Doctor Kennedy stated that given Spencer's unusual behavior it is possible he suffered from undiagnosed schizophrenia or other psychosis. She stated there is a reported association between schizophrenia and sudden cardiac death, however, the mechanism is not well understood.

Additionally, a fatal cardiac arrhythmia is not established or excluded at the autopsy which may have been caused by several things: an endogenous catecholamine production during a struggle, an acute metabolic abnormality, drug use not detected by toxicology results, or a congenital abnormality such as a cardiac channelopathy.

Finally, Doctor Kennedy stated that there is a temporal relationship between cardiopulmonary arrest and being prone during physical restraint. However, the relationship is due to asphyxia causing the cardiopulmonary arrest, and there were no findings from the autopsy that established asphyxia.

Doctor Kennedy opined that the cause of death was cardiopulmonary arrest during law enforcement restraint. She opinioned that the manner of death was undetermined and may be multifactorial.

LEGAL ANALYSIS

"An officer may use reasonable force to make an arrest, prevent escape or overcome resistance, and need not desist in the face of resistance." *Munoz v. City of Union City* (2004) 120 Cal.App.4th 1077, 1102. "Unlike private citizens, police officers act under color of law to protect the public interest. They are charged with acting affirmatively and using force as part of their duties, because the right to make an arrest or investigatory stop necessarily carries with it the right to use some degree of physical coercion or threat thereof to effect it." *Id.* (citations and internal quotations omitted). When protecting the public peace, a police officer "is entitled to the even greater use of force than might be in the same circumstances required for self-defense." *Id.* "The question is whether a peace officer's actions were objectively reasonable based on the facts and circumstances

confronting the peace officer." *Id.*, at 1102. "The test is highly deferential to the police officer's need to protect himself and others." *Id.*

A police officer may use reasonable force to effect an arrest, prevent escape, or overcome resistance of a person the officer believes has committed a crime. Penal Code section 835a. An officer "may use all the force that appears to him to be necessary to overcome all resistance, even to the taking of life; [an officer is justified in taking a life if] the resistance [is] such as appears to the officer likely to inflict great bodily injury upon himself or those acting with him." *People v. Mehserle* (2012) 206 Cal.App.4th 1125, 1146.

An act causes death if the death is the direct, natural and probable consequence of the act and the death would not have happened without the act. *CALCRIM No. 582*

The evidence examined in this investigation shows the deputies used only the force necessary to subdue Spencer. Responding LASD deputies were aware of the criminal conduct Spencer's neighbors had reported to the police. They went to the location with the intent to arrest Spencer. The deputies were aware Spencer had registered firearms and had previously barricaded himself when they tried to arrest him in the past. Equipped with this knowledge, and the ongoing threat Spencer posed to the neighbors, deputies went to his residence with a plan to arrest Spencer outside of his house.

The deputies arrived at his location and observed Spencer in his backyard talking to a [redacted] Ament jumped the fence and approached Spencer without his knowledge. Ament announced his presence, placed his hands on Spencer's forearm to try to arrest him, and Spencer pulled away and punched Ament in the face. Ament fell to the ground and Spencer straddled him and continued punching him. Garay intervened by deploying his Taser which appeared to have no effect. Spencer then turned his attention to Garay, tackled him to the ground, and started punching Garay. Spencer then turned again towards Ament and tried to take possession of his firearm.

Spencer posed such a danger to the deputies that [redacted] felt compelled to intervene. He jumped over the fence and assisted the deputies in holding Spencer down, which permitted the deputies to handcuff him. Despite being handcuffed, Spencer continued to resist violently by screaming and kicking at the deputies. Additional deputies arrived and secured Spencer's feet with a hobble device. The deputies attempted to escort Spencer to a police vehicle, however, Spencer remained combative, so the deputies were unable to move him safely. Deputies attached the hobble device to the handcuffs to prevent Spencer from getting up.

While in the TARP, deputies rolled Spencer onto his side. Spencer kept resisting, causing him to roll onto stomach. Spencer became unresponsive, and the deputies immediately removed the TARP and handcuffs, and began cardiopulmonary resuscitation.

Subsequent post-mortem examination revealed that Spencer suffered no fatal blunt-force trauma, nor was there any evidence of asphyxia. Furthermore, the coroner opined that

the manner of death was undetermined and likely multifactorial. Therefore, the evidence is insufficient to prove beyond a reasonable doubt that the deputies caused Spencer's death. Moreover, the force used by the deputies was both lawful to take a combative suspect into custody, and in lawful self-defense and defense of others. Therefore, the deputies are not criminally responsible for his death.

CONCLUSION

Based upon the foregoing analysis, we find Deputies Ament, Garay, Mendez, and Alejandre acted lawfully and are not criminally responsible for Spencer's death.